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## Part 1

### Title, Purpose and Objectives

§101. Title. This Chapter shall be known and may be cited as "Logan Township Zoning Ordinance Amendment No. 16." (Ord. 11-15-79, 11/15/1979, §1)

§102. Purpose. Whereas, the Supervisors of the Township of Logan deem it necessary to the promotion of public health, safety, morals, comfort and general welfare of Logan Township to regulate therein the use, size and location of buildings and other structures; the size and location of yards and other open spaces in relation to buildings; and the use of land; the following districts are hereby created and the following regulations are hereby established to accomplish that purpose and shall hereafter apply. (Ord. 11-15-79, 11/15/1979, §2)

§103. Statement of Community Development Objectives. The following list of community development objectives developed through legislative findings of the Board of Supervisors of the Township of Logan is the basis for the provisions of this Chapter.

1. To promote, protect and facilitate any or all of the following: the public health, safety, morals and the general welfare; coordinated and practical community development and proper density of population; emergency management preparedness and operations, airports, and national defense facilities, the provisions of adequate light and air, access to incident solar energy, police protection, vehicle parking and loading space, transportation, water, sewerage, schools, recreational facilities, public grounds, the provision of a safe, reliable and adequate water supply for domestic, commercial, agricultural or industrial use, and other public requirements; as well as preservation of the natural, scenic, and historic values in the environment and preservation of forests, wetlands, aquifers and floodplains.
2. To prevent one (1) or more of the following: overcrowding of land, blight, danger and congestion in travel and transportation, loss of health, life or property from fire, flood, panic or other dangers.
3. To preserve prime agricultural and farm land considering topography, soil type and classification and present use.
4. To provide for the use of land within the Township for residential housing of various dwelling types encompassing all basic forms of housing, including single-family and two (2)-family dwellings, and a reasonable range of multifamily dwellings in various arrangements, mobile homes and mobile home parks, provided, however, that this Chapter, or any amendments hereto, shall not be deemed invalid for the failure to provide for any other specific dwelling type.
5. To accommodate reasonable overall community growth, including population and employment growth, and opportunities for development of a variety of residential dwelling types and nonresidential uses.
6. To encourage growth in terms of population and commercial and industrial activity so that the Township captures at least its fair share of regional growth.
7. The Board of Supervisors hereby recognizes that circumstances can necessitate the adoption and timely pursuit of new goals and the enactment of zoning ordinance amendments which may neither

require nor allow for the completion of and approval of new community development objectives.

(Ord. 1-23-92, 1/23/1992)

## Part 2

### Districts Created

#### §201. District Classes Created.

1. For the purpose of this Chapter, the Township of Logan is divided into the following eight (8) classes of districts:

Agricultural Districts	Residence R-1A Districts
Agricultural A-1 Districts	Residence R-2 Districts
Business Districts	Industrial Districts
Residence R-1 Districts	Institutional Districts

(Ord. 04-13-00, 4/13/2000, §1)

2. The boundaries of these districts and classes of districts are hereby established on a map entitled "Zoning Map for Logan Township," which map accompanies and is hereby declared to be a part of this Chapter.

3. Except when otherwise indicated by dimensions of fixed boundaries shown on the Zoning Map, the depth of residential and business frontage is established, for the purpose of this Chapter, at one hundred fifty (150) feet.

4. Where a district boundary line divides a lot in single ownership, existing at the time of enactment of this Chapter, the use authorized on, and the district requirement of, the least restricted portion of such lot shall be construed as extending to the entire lot, provided, that such extension shall not include any part of the lot which is more than fifty (50) feet from the district boundary line.

(Ord. 11-15-79, 11/15/1979, §3)

#### §202. Amendment to Zoning Districts and/or Zoning Map.

1. The procedures for amendment, supplement and/or change in the boundaries of any zoning district and/or the Zoning Map for Logan Township shall be in accordance with the Pennsylvania Municipalities Planning Code (hereinafter "Code") as amended from time to time.

2. Any such amendment, supplement and/or change in the boundaries of any zoning district and/or the Zoning Map may be initiated by:

A. A resolution by the Board of Supervisors; or

B. A petition to the Board of Supervisors presented by the property owner or contract purchaser.

A public hearing shall be held on any such rezoning resolution or petition in accordance with the Code. Any party may appear in person or by agent or attorney.

3. If a petition for rezoning is denied by the Board of Supervisors once in a one year period,

another petition for a change to the same zone district and/or area of the Zoning Map shall not be filed within a period of one year from the date of denial, except upon the initiation of the Township Supervisors or after a showing of a change of circumstances which would warrant a rehearing. Determination as to a change in circumstances shall be made in the sole discretion of the said Board of Supervisors.

(Ord. 8-15-96, 8/15/96, §1)



## Part 3

### Definitions

§301. Definitions. For the purpose of interpreting this Chapter, the following definitions shall be controlling:

**ACCESSORY BUILDING** - a subordinate building the use of which is customarily incidental to that of the main building, and which is located on the same lot or parcel of land. Motor vehicles and/or any parts thereof shall not be used as accessory buildings. [Ord. 1-23-92]

#### **ACCESSORY USE -**

A. an accessory use may be conducted in the main building or in an accessory building, but in the latter case shall not occupy a floor area greater than one-half (½) the area of the first floor of the main building. There shall be no commercial display visible from the street, or advertising, except a small professional name plate or announcement sign. There shall be no more than two (2) employees or assistants.

B. a use not otherwise contrary to law, customarily incidental to the use of a building for dwelling purposes and including:

(1) the office or studio of a physician or surgeon, dentist, artist, musician, lawyer, architect, teacher, real estate agent or other like professional persons residing on the premises which have obtained similar degrees, training and experience as the specified professionals herein. [Ord. 1-23-92]

(2) workshops not conducted for profit.

(3) customary home occupations such as millinery, dressmaking, and hair-dressing, conducted by a person residing on the premises.

**ADULT ARCADE** means any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by the depicting or describing of "specified sexual activities" or "specified anatomical areas." [Ord. 04-13-00]

**ADULT BOOKSTORE** or **ADULT VIDEO STORE** means a commercial establishment which, as one of its principal business purposes, offers for sale or rental for any form of consideration any one or more of the following:

A. Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes or video reproductions, slides, or other visual representations which depict or describe "specified sexual activities" or "specified anatomical areas"; or

B. Instruments, devices, or paraphernalia which are designed for use in connection with "specified sexual activities."

A commercial establishment may have other principal business purposes that do not involve the offering for sale or rental of material depicting or describing "specified sexual activities" or "specified anatomical areas" and still be categorized as an ADULT BOOKSTORE or ADULT VIDEO STORE. Such other business purposes will not serve to exempt such commercial establishment from being categorized as an ADULT BOOKSTORE or ADULT VIDEO STORE so long as one of its principal business purposes is the offering for sale or rental for consideration the specified materials which depict or describe "specified sexual activities" or "specified anatomical areas."

[Ord. 04-13-00]

ADULT CABARET means a nightclub, bar, restaurant or similar commercial establishment, regardless of whether such establishment sells or offers alcohol for sale, which regularly features:

- A. persons who appear in the state of nudity; or
- B. live performances which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities"; or
- C. films, motion pictures, video cassettes, slides or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas."

[Ord. 04-13-00]

ADULT MOTEL means a hotel, motel or similar commercial establishment which:

- A. offers accommodations to the public for any form of consideration; provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas;" and has a sign visible which advertises the availability of this adult type of photographic reproductions; or
- B. offers a sleeping room for rent for a time period that is less than ten hours; or
- C. allows a tenant or occupant of a sleeping room to sublet for a period of time that is less than ten hours.

[Ord. 04-13-00]

ADULT MOTION PICTURE THEATER means a commercial establishment where, for any form of consideration, films, motion pictures, video cassettes, slides, or similar photographic reproductions are regularly shown which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas." [Ord. 04-13-00]

ADULT THEATER means a theater, concert hall, auditorium, or similar commercial establishment which regularly features persons who appear in a state of nudity or live performances which are characterized by the exposure of "specified anatomical areas" or "specified sexual activities."

[Ord. 04-13-00]

ALLEY - a public thoroughfare having a right-of-way width of twenty (20) feet or less regardless of how named.

ALTERATION OF BUILDING - any changes in supporting members of a building except such changes as may be required for its safety, and addition to a building, any change in use from one district classification to another, or removal of a building from one location to another.

APARTMENT HOUSE a multiple family dwelling. (See below)

AUDIENCE means one or more persons who are permitted to view a performance for consideration of any type in or from a public place. [Ord. 04-13-00]

BASEMENT LIVING will not be permitted beyond one (1) year from the date of permit.

BLOCK the length of a street between two (2) intersections.

BOARD any body granted jurisdiction under a land use ordinance or under this Chapter to render final adjudications. [Ord. .1-23-92]

BOARDING HOUSE OR ROOMING HOUSE - a dwelling, other than a hotel, wherein more than three (3) people are sheltered or fed for profit, including, without limitation, a dormitory.

BUILDING -- Any structure having enclosing walls and roof permanently located on the land. [Ord. 6-27-02]

BUFFER AREA -- A strip of required yard space adjacent to the boundary of a property or district, not less in width than is designated in this chapter, and on which is placed around shrubbery, hedges, evergreens or other suitable plantings of sufficient height and density to constitute an effective screen and give maximum protection and immediate screening to an abutting property or district. A "buffer area" may include a permissible fence. [Ord. 6-27-02]

CENTER LINE OF STREET - a line midway between and parallel to the two (2) street or property lines.

CHILD-ORIENTED BUSINESS means a commercial establishment which, as one of its principal business purposes, serves and/or sells to children and/or their families food, apparel, goods, services, play and/or entertainment. [Ord. 04-13-00]

COMMERCIAL VEHICLE - R license and above or any vehicle used to transport ten (10) or more passengers.

(27, §301, cont'd.)

(27, §301, cont'd.)

COMMUNICATIONS ANTENNA - any device used for the transmission or reception of radio, television, wireless telephone, pager, commercial mobile radio service or any other wireless communications signals, including without limitation omnidirectional or whip antennas and directional or panel antennas, owned or operated by any person or entity licensed by the Federal Communications Commission (FCC) to operate such device. This definition shall not include private residence mounted satellite dishes or television

antennas or amateur radio equipment including without limitation ham or citizen band radio antennas. [Ord. 09-13-01]

COMMUNICATIONS EQUIPMENT BUILDING means an unmanned building or cabinet containing communications equipment required for the operation of Communications Antennas and covering an area on the ground not greater than 250 square feet. [Ord. 09-13-01]

COMMUNICATIONS TOWER means a structure other than a building, such as a monopole, self-supporting or guyed tower, designed and used to support Communications Antennas. [Ord. 09-13-01]

COMMUNITY LIVING ARRANGEMENTS - a dwelling or structure, which complies with all of the requirements of the zoning district in which said dwelling or structure is located, wherein individuals are sheltered and/or fed for or not for profit and all such individuals (excepting caregivers) having their residence therein have a "handicap" as defined in the Fair Housing Amendments, Act of 1988, P.L. 100-430, 102 Stat. 1619. [Ord. 1-23-92]

CONDOMINIUM - any structure meeting the definition of condominium as defined in the Pennsylvania Uniform Condominium Act, 68 Pa.C.S.A. §3101 et seq., as amended from time to time. [Ord. 1-23-92]

CORNER LOT - a lot fronting on two (2) streets at their intersection.

DECISION - final adjudication of any board or other body granted jurisdiction under any land use ordinance or this Chapter to do so, either by reason of the grant of exclusive jurisdiction or by reason of appeals from determinations. All decisions shall be appealable to the court of common pleas of the county and judicial district wherein the Township lies. [Ord. 1-23-92]

DETERMINATION - final action by an officer, body or agency charged with the administration of any land use ordinance or applications thereunder, except the following:

A. The Board of Supervisors.

B. The Zoning Hearing Board.

[Ord. 1-23-92]

DORMITORY means a building designed or used exclusively or primarily for the housing of students of an educational institution, faculty, staff and paying and non-paying guests utilizing school, college, and university facilities for school, college, and university sponsored or supported activities, which buildings are owned by the education institution. The term dormitory shall include, but shall not be limited to, fraternity and sorority houses. [Ord. 04-13-00]

DWELLING -- A building occupied by and maintained exclusively for residential purposes, excluding hotel, motel, rooming house, student home, tourist home, community living arrangement, institutional home, private club within residence facilities, and the like. [Ord. 6-27-02]

ESCORT means a person who, for consideration, agrees or offers or advertises to act as a companion, guide, or date for another person or who agrees or offers to privately model lingerie or to privately perform a striptease for another person. [Ord. 04-13-00]

ESCORT AGENCY means a person or business association who furnishes, offers to furnish, or advertises to furnish escorts as one of its primary business purposes for a fee, tip, or other consideration. [Ord. 04-13-00]

ESSENTIAL SERVICES means the erection, construction, alteration or maintenance, by public utilities or municipal or other governmental agencies, of underground or overhead gas, electrical, steam or water transmission or distribution systems, collection, communication, supply or disposal systems and their essential buildings, excluding Communications Towers and Communications Antennas, as defined herein. [Ord. 09-13-01]

ESTABLISHMENT includes any of the following:

- A. The opening or commencement of any sexually oriented business as a new business;
- B. The conversion of any existing business whether or not a sexually oriented business, to a sexually oriented business;
- C. The addition of any sexually oriented business to any other existing sexually oriented business; or
- D. The relocation of any sexually oriented business.

[Ord. 04-13-00]

FLAG LOT - a lot, tract of parcel of land, each of which front a minimum of fifteen (15) feet upon a public street (i.e., any . street accepted and maintained by a local, State or Federal government) and extend back therefrom a minimum width of fifteen (15) feet, so as to provide each such lot, tract or parcel of land with access, which is used solely and exclusively for ingress, egress and regress from such lot, tract or parcel of land to such public street; provided that each such lot, tract or parcel of land meets the area and frontage, front yard, rear yard and side yard requirements as well as the minimum frontage of either seventy five (75) or one hundred (100) feet, which frontage shall be measured not less than thirty (30) feet from the building situate upon or proposed to be constructed or erected upon said lot, tract or parcel of land. One (1) single family dwelling house and its accessory uses and out buildings or one (1) mobile home (where so permitted in the zoning district) or one (1) two (2) family dwelling and its accessory uses and outbuildings (where so permitted in the zoning district) shall be the only structures and uses permitted upon said lot, tract or parcel of land. No more than two (2) flag lots shall be permitted to abut, adjoin or in any manner touch upon each other. [Ord. 1-23-92]

FRONTAGE - The horizontal or curvilinear distance along the public street line upon which a lot abuts. Vehicular access shall be provided along the frontage. [Ord. 06-27-02A]

FRONT YARD - the space between the building line or front main wall of a building and the front property line.

HEIGHT OF BUILDING - the vertical distance measured from the average ground level at the sides of the building, exclusive of chimneys and similar fixtures.

HEIGHT OF A COMMUNICATIONS TOWER means the vertical distance measured from the ground level to the highest point on a Communications Tower, including antennas mounted on the

tower. [Ord. 09-13-01]

HOME OCCUPATION -- An occupation for gain or support conducted only by members of a family whose principal residence is on the premises and which is conducted entirely within the dwelling, provided that no article is sold or offered for sale, and which occupation does not include on-premises retailing activity or direct sale of merchandise to the public. The following is to be considered a "home occupation": Instructions in violin, piano or other individual musical instruments, limited to a single person at a time, dressmaker, watchmaker, milliner, seamstress or other persons who offer skilled services to clients and are not professionally engaged in the purchase or sale of economic goods. The following is not considered to be a "home occupation": Dancing instruction, band instrument instruction in groups, barbershops, beauty shops, tearooms, tourist homes, real estate offices, convalescent homes, mortuary establishments, stores, trades or business of any kind not herein above listed shall not be deemed to be home occupations. The conducting of a clinic, hospital, animal hospital or any similar use shall not be deemed to be a "home occupation." [Ord. 06-27-02A]

HOSPITAL means a sanitarium, sanatorium, preventorium, clinic, rest home, nursing home, convalescent home, and any place for the diagnosis, treatment, or other care of human ailments, and shall be deemed to be limited to such places. [Ord. 04-13-00]

HOTEL -- A building in which lodging is provided and offered to the public for compensation and in which ingress and egress to and from rooms is made from an inside lobby or office supervised by a person in charge at all hours, and which is open to transient guests, in contradistinction to a boarding house, lodging house, or rooming house. [Ord. 06-27-02A]

INSTITUTIONAL HOME -- A public or private benevolent establishment devoted to the shelter, maintenance, or education and care of minor children, homeless, aged or infirm persons; or members of a religious community. This classification shall not include almshouses, penal or reformatory institutions, nursing homes, or institutions for the custody, care or treatment of persons suffering from amentia, mental derangement, or drug or alcoholic addiction. [Ord. 06-27-02A]

LOT - a designated parcel, tract or area of land established by a plat or otherwise as permitted by law and to be used, developed or built upon as a unit. [Ord. 1-23-92]

MOBILE HOME - a transportable, single family dwelling intended for permanent occupancy, contained in one (1) unit or in two (2) or more units designed to be joined into one (1) integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation. [Ord. 1-23-92]

MOBILE HOME LOT - a parcel of land in a mobilehome park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile home. (Ord. 1-23-92)

MOBILE HOME PARK - a parcel or contiguous parcels of land which has been so designated and improved that it contains two (2) or more mobilehome lots for the placement thereon of mobilehomes. [Ord. 1-23-92]

MOTEL -- A building in which lodging is provided and offered to the transient public for compensation and in which egress and ingress to and from rooms may be made either through an inside lobby or office supervised by a person in charge at all times or directly from the exterior. [Ord. 06-27-

02A]

**MULTIPLE FAMILY DWELLING** - any building under a single roof, with or without fire-wall partitions or party walls, designed for occupancy by or occupied by three (3) or more households living as families and including but not limited to an apartment house, townhouse and condominium. Any multifamily dwelling constructed or erected after the enactment of this Chapter shall be constructed with firewall partitions or firewall party walls only. [Ord. 1-23-92]

**MUNICIPAL AUTHORITY** - a body politic and corporate created pursuant to the Act of May 2, 1945 (P.L. 382, No. 164), known as the "Municipalities Authority Act of 1945." [Ord. 1-23-92]

**NET ACRE** -- The area of land contained within the legal limits of the property lines bounding that area. Any portion of a lot included in a street right-of-way, utility easement, stormwater management facility or the access strip to an interior flag-shaped lot and the above ground portion of sewerage systems including buffer areas shall not be included in calculating the minimum lot area under the provisions of this Ordinance. [Ord. 06-27-02A]

**NONCONFORMING LOT** - a lot the area or dimension of which was lawful prior to the adoption or amendment of this Chapter, but which fails to conform to the requirements of the zoning district in which it is located by reason of such adoption or amendment. [Ord. 1-23-92]

**NONCONFORMING STRUCTURE** - a structure or part of a structure manifestly not designed to comply with the use or extent of use provisions of this Chapter or amendment heretofore or hereafter enacted, where such structure lawfully existed prior to the enactment of this Chapter or amendment or prior to the application of this Chapter or amendment to its location by reason of annexation. Such nonconforming structures -include, but are not limited to, nonconforming signs. [Ord. 1-23-92]

**NONCONFORMING USE** - a use, whether of land or of structure, which does not comply with the applicable use provisions in this Chapter or amendment heretofore or hereafter enacted, where such use was lawfully in existence prior to the enactment of this Chapter or amendment, or prior to the application of this Chapter or amendment to its location by reason of annexation. [Ord. 1-23-92]  
(27, §301, cont'd.) (27, §301, cont'd.)

**NUDE MODEL STUDIO** means any place where a person who appears in a state of nudity or displays "specified anatomical areas" is provided to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons who pay money or any form of consideration. [Ord. 04-13-00]

**NUDITY or a STATE OF NUDITY** means the appearance of a human bare buttock, anus, male genitals, female genitals, or female breast. [Ord. 04-13-00]

**NURSING OR CONVALESCENT HOME** means a building with sleeping rooms where persons are housed or lodged and furnished with meals and nursing care for hire. [Ord. 04-13-00]

**OPEN PORCH** - a porch open on three (3) sides except for wire screening. A porch shall not be considered open if enclosed by either permanent or detachable glass sash.

**OUTBUILDING** - a building detached from and subordinate to the main building on the same lot

and used for purposes customarily incidental to the main building. Vehicles and/or any structure which at any time had wheels affixed thereto and/or constructed to accommodate wheels, and/or any parts of vehicles and/or said structures thereof shall not be used as accessory buildings. [Ord. 1-23-92]

PERMITTEE and/or LICENSEE means a person in whose name a permit and/or license to operate a sexually oriented business has been issued, as well as the individual listed as an applicant on the application for a permit and/or license. [Ord. 04-13-00]

PERSON means an individual, sole proprietorship, partnership, corporation, association, or other entity. [Ord. 04-13-00]

PERSONAL CARE HOME means a building in which food, shelter, and personal assistance or supervision are provided for a period exceeding twenty-four hours for at least four (4) residents who are not relatives of the operator and who require assistance or supervision in such matters as dressing, bathing, diet, or medication prescribed for self administration. All such facilities shall contain no less than 200 square feet of floor area per resident. [Ord. 04-13-00]

PERFORMANCE means any live or reproduced exhibition, including but not limited to any play, motion picture film, dance or appearance presented to or performed before an audience. [Ord. 04-13-00]

PRIVATE GARAGE - a garage not conducted as a business or used for the storage or more than one (1) commercial vehicle which shall be owned by a person residing on the premises.

PUBLIC GARAGE - a garage conducted as a business. The rental of storage space for more than two (2) cars not owned by persons residing on the premises shall be deemed a business use.

PUBLIC GROUNDS - includes:

- A. Parks, playgrounds, trails, paths and other recreational areas and other public areas.
- B. Sites for schools, sewage treatment, refuse disposal and other publicly owned or operated facilities.
- C. Publicly owned or operated scenic and historic sites.

[Ord. 1-23-92]

PUBLIC HEARING - a formal meeting held pursuant to public notice by the Board of Supervisors intended to inform and obtain public comment, prior to taking action in accordance with this Chapter. [Ord. 1-23-92]

PUBLIC MEETING - a forum held pursuant to notice under the Act of July 3, 1986 (P.L. 388, No. 84), known as the "Sunshine Act," 53 P.S. §§271 et seq. [Ord. 1-23-92]

PUBLIC NOTICE - notice published once each week for two (2) successive weeks in a newspaper of general circulation in the Township. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than thirty (30) days and the second publication shall not be less than seven (7) days from the date of the hearing. [Ord. 1-23-92]



**PUBLIC SEWAGE** - all separate sanitary sewers, all sewage pumping stations, all sewage treatment plants, and all other facilities provided and owned or leased by lessee by the Township of Logan for the collection and transportation of sanitary sewerage and industrial waste.

**PUBLIC STREET** -- any and all streets owned and maintained by any local, state or federal government. [Ord. 06-27-02A]

**PUBLIC UTILITY TRANSMISSION TOWER:** A Structure, owned and operated by a public utility electric company regulated by the Pennsylvania Public Utility Commission, designed and used to support overhead electricity transmission lines. [Ord. 09-13-01]

**REAR YARD** - an open space on the same lot with a building between the rear wall of the building and the rear line of the lot, either attached or detached garages and open porches, which in the aggregate shall occupy not more than thirty-five (35%) percent of the area. In the case of a corner lot, the owner may designate any interior lot line as the rear lot line.

**REPORT** - any letter, review, memorandum, compilation or similar writing made by any body, board, officer or consultant other than a solicitor to any other body, board, officer or consultant for the purpose of assisting the recipient of such report in the rendering of any decision or determination. All reports shall be deemed recommendatory and advisory only and shall not be binding upon the recipient, board, officer, body or agency, nor shall any appeal lie therefrom. Any report used, received or considered by the body, board, officer or agency rendering a determination or decision shall be made available for inspection to the applicant and all other parties to any proceeding upon request, and copies thereof shall be provided at cost of reproduction. [Ord. 1-23-92]

**SANITARIUM, SANITORIUM** means a private hospital, whether or not such facility is operated for profit. [Ord. 04-13-00]

**SEMI-NUDE** means a state of dress in which clothing covers no more than the genitals, pubic region, and areola of the female breast, as well as portions of the body covered by supporting straps or devices. [Ord. 04-13-00]

**SEXUAL ENCOUNTER CENTER** means a business or commercial enterprise that, as one of its primary business purposes, offers for any form of consideration:

A. Physical contact in the form of wrestling or tumbling between persons of the opposite sex; or

B. Activities between male and female persons and/or persons of the same sex when one or more of the persons is in a state of nudity or semi-nude.

This term does not include the following types of commercial enterprises:

A. An enterprise in which massage therapy that does not involve "specified sexual activities" is provided by a physician, chiropractor, registered nurse, or other medical practitioner licensed or certified by the Commonwealth of Pennsylvania for such area of practice.

B. An enterprise in which massage therapy that does not involve "specified sexual

activities" is provided by a professional massage therapist who is licensed or certified by a national massage therapist professional organization that has an explicit and enforced policy statement which fully deals with the concerns raised by this Ordinance and furthers the purposes of this Ordinance.

[Ord. 04-13-00]

**SEXUALLY ORIENTED BUSINESS** means an adult arcade, adult bookstore or adult video store, adult cabaret, adult motel, adult motion picture theater, adult theater, escort agency, nude model studio, or sexual encounter center. [Ord. 04-13-00]

**SIDE YARD** - the open unobstructed space between the side building line or side wall of a building and the side lot line or boundary and extending through the front yard and rear yard.

**SINGLE FAMILY DWELLING** - a detached house designed for the use of a single household, including two (2) or more people living as a family and wherein not more than three (3) other people are sheltered or fed for profit.

**SPECIAL EXCEPTION** - a use permitted in a particular zoning district pursuant to the provisions of this Chapter and Articles VI and IX of the Pennsylvania Municipalities Planning Code, 53 P.S. §§10601 et seq., 10901 et seq. [Ord. 1-23-92]

**SPECIFIED ANATOMICAL AREAS** means the male genitals in a state of sexual arousal, the male buttocks and/or the vulva or more intimate parts of the female genitals, buttocks and female breasts. [Ord. 04-13-00]

**SPECIFIED SEXUAL ACTIVITIES** means and includes any of the following:

- A. The fondling or other erotic touching of human genitals, pubic region, buttocks, anus, and female breasts;
- B. Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, or sodomy;
- C. Masturbation, actual or simulated; or
- D. Excretory functions as part of or in connection with any of the activities set forth in A through C above.

[Ord. 04-13-00]

**STORY** - that part of a building included between any floor and the floor or roof next above. When applying to the permissible height of building, the term "story" shall not include a basement if the basement is not designed for living quarters and if the ceiling thereof is not more than four (4) feet above the average ground level.

**STREET** - includes street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct or any other ways used or intended to be used by vehicular traffic or pedestrians whether public or private. [Ord. 1-23-92]

STREET LINE - a street line is the right-of-way or established property line of a street as indicated by dedication or by deed of record.

STRUCTURE - any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land, not including pavement for driveways, or accesses, and associated curbing and stormwater management facilities. [Ord. 1-23-92], [Ord 06-27-02]

STUDENT HOME - A living arrangement for students, unrelated by blood, marriage or legal adoption, attending or about to attend a college or university or who are on a semester or summer break from studies at a college or university, or any combination of such persons. Students homes shall not include fraternities or sororities. [Ord. 09-14-00]

SUBSTANTIAL ENLARGEMENT of a sexually oriented business means the increase in floor areas occupied by the business by more than twenty-five (25%) percent, as the floor area exist on date of enactment of this Ordinance. [Ord. 04-13-00]

TERMS - the present tense shall include the "future;" the singular number shall include the "plural"; and the plural, the "singular." The word "shall" is always mandatory.

TOURIST HOME - a private residence in which accommodations are provided for sleeping and feeding not more than ten (10) over-night paying guests.

TOWNHOUSE - A structure consisting of a series from three or more attached dwellings, separated from one another by continuous vertical walls without opening from basement to roof. The term shall include "row house". [Ord. 09-14-00]

TRANSFER OR OWNERSHIP OR CONTROL of a sexually oriented business means and includes any of the following:

- A. The sale, lease, sublease and/or assignment of lease of the business;
- B. The transfer of securities which constitute a controlling interest in the business, whether by sale, exchange, or similar means; or
- C. The establishment of a trust, gift, or other similar device which transfers the ownership or control of the business, except for transfer by bequest or other operation of law upon the death of the person possessing the ownership or control.

[Ord. 04-13-00]

TWO-FAMILY DWELLING - a dwelling with or without party walls, designed or arranged for occupancy of two (2) households, each including two (2) or more persons living as a family. From and after the date of the enactment of this Chapter, all two (2) family dwellings shall be constructed or erected with fire-wall partitions or fire-wall party walls. [Ord. 1-23-92]

VARIANCE - relief granted pursuant to the provisions of this Chapter and Articles VI and IX of the Pennsylvania Municipalities Planning Code, 53 PS §10101 et seq. [Ord. 1-23-92]

(Ord. 11-15-79, 11/15/1979, §3; as amended by Ord. 6-16-83, 6/18/1983, §2; and by Ord. 1-23-92, 1/23/1992; and by Ord. 04-13-00, 4/13/2000, §1; and by Ord. 09-14-00, 9/14/2000, §1)

## Part 4

### Agricultural Districts

§401A. Agricultural Districts. In “Agricultural Districts,” only the following building, structures and uses shall be permitted:

1. Agricultural dwellings, barns and their accessory uses and buildings.
2. The growing and selling, either retail or wholesale, of all types of agricultural produce, livestock, and appurtenant products produced on the premises and resulting from agricultural, farming, viticulture, and animal and poultry husbandry.
3. Whenever a lot, tract or parcel of land located in an Agricultural District is not being developed with the buildings, structures and uses permitted under §401A(1) and (2) of this Part, only those buildings, structures and uses permitted in Residence R-1 Districts shall be permitted on said lot, tract or parcel of ground. Additionally, all parcels of land less than five (5) acres in area, and having more than seventy (70%) percent of their area not actively used for agricultural purposes, and all lots less than one and one-half (1½) acres shall be classed as residential and subject to R-1 restrictions. [Ord. 06-27-02A]
4. A church, public library, public or private school or other religious, charitable or educational institution, a public park or playground, and Community Living Arrangements.
5. Other special structures and uses as specifically provided in Part 10, §1001A, Subsections 1,2,3,4,5 and 9 only. [Ord. 09-14-00, 9/14/00, §1], [Ord. 06-27-02A]
6. Any permanent building, to be used as a living quarters in an Agricultural District must comply with §501, §502 and §503 of Part 5, and is subject to a building permit.
7. Buildings or structures used for the production of forest products.
8. Communications Antennas mounted on an existing Public Utility Transmission Tower, building or other Structure, and Communications Equipment Buildings subject to the Regulations Governing Communications Antennas and Communications Equipment Buildings at §1018. [Ord. 09-13-01]

§401B. Agricultural A-1 Districts. In “Agricultural A-1 Districts” only the following buildings, structures and uses shall be permitted:

1. Agricultural dwellings, barns and their accessory uses and buildings.
2. The growing and selling, either retail or wholesale, of all types of agricultural produce, livestock, and appurtenant products produced on the premises and resulting from agricultural, farming, viticulture, and animal and poultry husbandry.  
(27, §401B, cont'd.)                      (27, §401B, cont'd.)
3. Whenever a lot, tract or parcel of land located in an Agricultural A-1 District is not being developed with the buildings, structures and uses permitted under §401B(1) and (2) of this Part, only

those buildings, structures and uses permitted in Residence R-1 Districts shall be permitted on said lot, tract or parcel of ground. Additionally, all parcels of land less than five (5) acres in area, and having more than seventy (70%) percent of their area not actively used for agricultural purposes, and all lots less than one and one-half (1½) acres shall be classed as residential and subject to R-1 restrictions. [Ord. 06-27-02A]

4. A church, public library, public or private school or other religious, charitable or educational institution, a public park or playground, and Community Living Arrangements.

5. Other special structures and uses as specifically provided in Part 10, Section 1001A, Subsections 1, 2, 3, 4, 5, and 9 only and Section 1001B. [Ord. 09-13-01]

6. Any permanent building, to be used as a living quarters in an Agricultural A-1 District must comply with §501, §502 and §503 of Part 5, and is subject to a building permit.

7. Buildings or structures used for the production of forest products.

8. Communications Antennas mounted on an existing Public Utility Transmission Tower, building or other Structure, and Communications Equipment Buildings subject to the Regulations Governing Communications Antennas and Communications Equipment Buildings at § 1018. [Ord. 09-13-01]

§402. Yard, Area, Height and Lot Provisions for all Agricultural and Agricultural A-1 Districts.

1. Front Yards. No building exclusive of open porches, steps and overhanging eaves and cornices, shall extend nearer to the front street property line than the mean distance of setback of the nearest building or buildings, other than accessory buildings within one hundred fifty (150) feet on each side of said building and fronting on the same side of the street. Where no building or buildings exist as described above, the building setback at the front shall not be less than thirty (30) feet from the street or road property line, and any building other than a detached garage or other outbuilding may be placed to within twenty (20) feet of the side street line.

2. Rear Yards. There shall be a rear yard not less than thirty (30) feet in depth.

3. Side Yards. There shall be two (2) side yards with a total of not less than twenty-four (24) feet except that, when a lot plotted prior to the time of enactment of this Chapter is less than sixty (60) feet wide, the total width of the two (2) side yards may be reduced by nine (9) inches for each foot of difference to a total width of not less than sixteen (16) feet. With the width of the narrowest of the two (2) side yards not to be less than seven (7) feet. Side yard setback for all buildings on corner lots shall be as near as possible in conformity to the frontage setback of buildings facing such side street, using the minimum side lot requirements to establish foundation location.

4. Area and Frontage. All lots without public sewerage shall have an area not less than twenty thousand (20,000) square feet and frontage of not less than one hundred (100) feet. All lots with public sewerage shall have an area not less than nine thousand (9,000) square feet and a frontage of not less than seventy-five (75) feet. To the contrary notwithstanding, this Chapter shall not prevent the use for

(27, §402, cont'd.)                      (27, §402, cont'd.)

residential purposes of a lot plotted prior to the time of enactment of this Chapter, providing that the front yard, rear yard and side yard requirements are met.

5. Minimum Floor Area. No dwelling shall have usable ground floor area which totals less than six hundred (600) square feet, exclusive of open or screened porches.

6. Height. Dwellings shall not exceed thirty-five (35) feet in height. There shall be no limit on the height of non-residential structures except that for each foot the height of such structure exceeds seventy (70) feet, the total width of the two (2) side yards shall be increased by two (2) feet.

7. Flag Lots. Structures and uses permitted hereunder may be located on a flag lot.

§403. Private Garages and Other Outbuildings. No garage or other outbuildings shall be placed nearer to a side or rear property line than ten (10) feet; provided, however, that the foregoing shall not prevent the following:

1. The building of a common or joint garage on lots adjoining at the side; or

2. The construction of a garage as a structural part of a dwelling and a garage so constructed may extend into an interior side yard required under this Chapter for a distance not to exceed four (4) feet, provided it has no window openings at the side and does not extend nearer than eight (8) feet to a side lot line.

§404. Off-Street Parking Requirements. Off-street parking requirements shall be provided as required or permitted in accordance with Part 10 §1017 of this Chapter.

#### §405. Additional Provisions

1. Upon recommendation by the Township Engineer to the Board of Supervisors, a traffic study may be required in conjunction with any proposed use in accordance with Part 10 §1015 of the Township of Logan Code of Ordinances.

2. A buffer area, fencing or similar screening may be required along any or all property lines, or portions thereof, or between uses on a lot in accordance with Part 10 §1015 of the Township of Logan Code of Ordinances.

3. No zoning permit shall be required for building or structure used for agriculture and/or agricultural purposes, unless the same shall exceed the cost of five hundred (\$500.00) dollars. For the purpose of this Chapter, "agricultural" shall include agriculture, farming, dairying, pasturage, apiculture, horticulture, floriculture, viticulture, and animal and poultry husbandry.

(Ord. 11-15-79, 11/15/1979, §4; as amended by Ord. 6-16-83, 6/18/1983, §2; and by Ord. 1-23-92, 1/23/1992; and by Ord. 04-13-00, 4/13/2000, §1; by Ord. 09-14-00, 9/14/2000, §1; and by Ord. 05-24-01, 05/24/01)

## Part 5

### Residence R-1 District

§501. Permitted Buildings, Structures and Uses. In Residence "R-1" Districts, only the following buildings, structures and uses shall be permitted.

1. One single family dwelling or one two-family dwelling per lot and those buildings, structures and uses included in Part 4, "Agricultural Districts," §401A(4), shall be the only uses permitted in this district; provided, however, that the construction of each two-family dwelling shall be limited to one (1) such two-family dwelling for every two (2) single family dwellings in a Land Development, as defined in Chapter 22 of the Township of Logan Code of Ordinances. [Ord. 06-27-02A]

2. Other special structures and uses as specifically provided by Part 10, §1001A, subsection 4 and 9 only. [Ord. 06-27-02A]

(Ord. 11-15-79, 11/15/1979, §6; as amended by Ord. 6-10-82, 6/10/1982, §2; by Ord. 6-16-83, 6/16/1983, §4; by Ord. 7-25-85, 7/25/1985; by Ord. 10-31B-85, 10/31/1985, §2; and by Ord. 1-23-92, 1/23/1992; and by Ord. 04-13-00, 4/13/2000, §1; and by Ord. 9-14-00, 9/14/2000, §1)

### §502. Yard and Area Provisions.

1. Front Yards. No building exclusive of open porches, steps and overhanging eaves and cornices shall extend nearer to the front street property line than the mean distance of setback of the nearest building or buildings, other than accessory buildings within one hundred fifty (150) feet on each side of said building and fronting on the same side of the street. Where no building or buildings exist as described above, the building setback at the front shall be not less than thirty (30) feet from the street or road property line, and any building other than a detached garage or other outbuilding may be placed within twenty (20) feet of the side street line.

2. Rear Yards. There shall be a rear yard not less than thirty (30) feet deep.

3. Side Yards. There shall be two (2) side yards with a total width of not less than twenty-four (24) feet except that, when a lot plotted prior to the time of enactment of this Chapter is less than sixty (60) feet wide, the total width of the two (2) side yards may be reduced by nine (9) inches for each foot of difference to a total width not less than sixteen (16) feet. With the width of the narrowest of the two (2) side yards not to be less than seven (7) feet. Side yard setback for all buildings on corner lots shall be as near as possible in conformity to the frontage setback of buildings facing such side street, using the minimum side lot requirement to establish foundation location. (Ord. 1-23-92)

4. Area and Frontage. All lots without public sewerage shall have an area not less than twenty thousand (20,000) square feet and frontage of not less than one hundred (100) feet. All lots with public sewerage shall have an area not less than nine thousand (9,000) square feet and a frontage of not less than seventy-five (75) feet. To the contrary notwithstanding, this Chapter shall not prevent the use for residential purpose of a lot plotted prior to the time of enactment of this Chapter) providing that the front yard, rear yard and side yard requirements are met.



## 5. Minimum Floor Area.

A. No one (1) story dwelling with a basement shall have a usable ground floor area which totals less than six hundred (600) square feet, and no one (1) story basementless dwelling shall have a usable ground floor area which totals less than eight hundred (800) square feet, exclusive of open or screened porches.

B. All one and one-half (1½), two (2) story and multi-level dwellings in a Residential R-1 district must have a livable floor space of eight hundred (800) square feet, with sidewall heights in a one and one-half (1½) or multi-level dwelling not to be less than eight (8) feet in height. If the total livable square footage does not meet or exceed eight hundred (800) square feet then the said structure must have six hundred-fifty (650) square feet on the ground floor, exclusive of open or screened porches.

6. Height. Dwellings shall not exceed thirty-five (35) feet in height. There shall be no limit on the height of non-residential structures except that for each foot the height of such a structure exceeds thirty-five (35) feet, the total width of the two (2) side yards shall be increased by two (2) feet.

7. Flag Lots. To the contrary notwithstanding, lots, tracts or parcels of land, each of which front a minimum fifteen (15) feet upon a public street and extend back therefrom a minimum width of fifteen (15) feet, so as to provide that each such lot, tract or parcel of land with access, which is used solely and exclusively for ingress, egress and regress from such lot, tracts or parcel of land to such public street (herein referred to as a "Flag Lot"); provided that each such flag lot meets the area and frontage, front yard, rear yard and side yard requirements as well as the minimum frontage of either seventy-five (75) or one hundred (100) feet, which frontage shall be measured not less than thirty (30) feet from the building situate upon or proposed to be constructed or erected upon said flag lot. One (1) single family dwelling house and its accessory uses and buildings or one (1) mobile home shall be the only structures and uses permitted upon flag lots. [Ord. 1-23-92]

(Ord. 11-15-79, 11/15/1979, §6; as amended by Ord. 6-10-82, 6/10/1982, §4; and by Ord. 1-23-92, 1/23/1992)

§503. Private Garage and Other Outbuildings. Requirements shall be the same as for Agricultural Districts. (Ord. 11-15-79, 11/15/1979, §6; as amended by Ord. 1-23-92, 1/23/1992)

## §504. Additional Provisions

1. Upon recommendation by the Township Engineer to the Board of Supervisors, a traffic study may be required in conjunction with any proposed use in accordance with Part 10 §1015 of the Township of Logan Code of Ordinances.

2. A buffer area, fencing or similar screening may be required along any or all property lines, or portions thereof, or between uses on a lot in accordance with Part 10 §1015 of the Township of Logan Code of Ordinances.

(Ord. 02-10-00, 2/10/2000, §1)

§505. Off - Street Parking Requirements. Off-street parking requirements shall be provided as required or permitted in accordance with Part 10 §1017 of this Chapter.

(Ord. 04-13-00, 4/13/2000, §1)

(Ord. 11-15-79, 11/15/1979, §3; as amended by Ord. 6-16-83, 6/18/1983, §2; and by Ord. 1-23-92, 1/23/1992; and by Ord. 04-13-00, 4/13/2000, §1; and by Ord. 09-14-00, 9/14/2000, §1)

## Part 6

### Residence R-1A Districts

§601. Residence R-1A Districts. All permitted uses, structures and requirements permitted in Residence R-1 Districts, except for the use of or placement of two-family dwellings. (Ord. 09-14-00, 9/14/00, §1)

#### 1. Minimum Floor Area.

A. No one (1) story dwelling with a basement shall have a usable ground floor area which totals less than ten hundred fifty (1050) square feet, and no one (1) story basementless dwelling shall have a usable ground floor area which totals less than twelve hundred (1200) square feet, exclusive of open or screened porches.

B All one and one-half (1½) , two (2) story and multi-level dwellings in a Residential R-1 district must have livable floor space of fifteen hundred (1500) square feet, with sidewall heights in a one and one-half (1½) or multi-level dwelling not to be less than eight (8) feet in height. If the total livable square footage does not meet or exceed fifteen hundred (1500) square feet then said structure must have ten hundred fifty (1050) square feet on the ground floor, exclusive of open or screened porches.

(Ord. 11-15-79, 11/15/1979, §7; as amended by Ord. 6-10-82, 6/10/1982, §3; and by Ord. 09-14-00, 9/14/2000, §1)

#### §602. Additional Provisions.

1. Upon recommendation by the Township Engineer to the Board of Supervisors, a traffic study may be required in conjunction with any proposed use in accordance with Part 10 §1015 of the Township of Logan Code of Ordinances.

2. A buffer area, fencing or similar screening may be required along any or all property lines, or portions thereof, or between uses on a lot in accordance with Part 10 §1015 of the Township of Logan Code of Ordinances.

(Ord. 02-10-00, 2/10/00, §1)

§603. Off - Street Parking Requirements. Off-street parking requirements shall be provided as required or permitted in accordance with Part 10 §1017 of this Chapter. (Ord. 04-13-00, 4/13/00, §1)

(Ord. 11-15-79, 11/15/1979, §7; as amended by Ord. 6-20-82, 6/20/1982, §3; and by Ord. 09-14-00, 9/14/2000, §1)

## Part 7

### Residence R-2 Districts

§701. Permitted Buildings, Structures and Uses. In Residence "R-2" Districts, only the

following buildings, structures and uses shall be permitted:

1. All buildings, structures and uses permitted in Residence "R-1" Districts, and mobile homes.
2. Two-family dwellings and multiple family dwellings of not more than twelve (12) families.

3. Multiple family dwellings without limit as to the number of dwelling units within a unified development on a property with a net land area of not less than five (5) acres or on a property bounded on all sides by streets or park or other permanent public open space, provided: (1) the height of structures shall not exceed seventy (70) feet; (2) the coverage of the net land area shall not exceed twenty (20%) percent; (3) the density of dwelling units shall not exceed twenty two (22) units per net acre; (4) there shall be a side yard width of not less than twelve (12) feet in relation to any side line or lines of an adjoining property or properties, which side yard shall be unoccupied and unobstructed by buildings except garages, which shall not be placed closer to a front street line than thirty (30) feet; and (5) any garage or other outbuilding shall be constructed in accordance with Part 4, §404. [Ord. 1-23-92]

4. Other special structures and uses as specifically provided by Part 10, §1001A subsections 1 through 8, inclusive. (Ord. 09-14-00, 9/14/00, §1)

(Ord. 11-15-79, 11/15/1979, §8; as amended by Ord. 1723-92, 1/23/1992; and by Ord. 09-14-00, 9/14/2000, §1)

#### §702. Yard, Area and Height Provisions.

1. Front, Rear and Side Yards, Area, Frontage and Height. The front yards, rear yards, side yards, area, frontage and height provisions shall be the same as required for Residence R-1 Districts. Dwellings shall not exceed seventy (70) feet in height. There shall be no limit on the height of non-residential structures except that for each foot the height of such structure exceeds seventy (70) feet the total width of the two (2) side yards shall be increased by two (2) feet. Structures that are accessory to the principal use of property shall not exceed thirty-five (35) feet in height. [Ord. 06-27-02A]

#### 2. Minimum Floor Area.

A. No one (1) story dwelling with a basement shall have a usable ground floor area which totals less than six hundred fifty (650) square feet, and not one (1) story basementless dwelling shall have a usable ground floor area which totals less than eight hundred (800) square feet, exclusive of open or screened porches.

B. All one and one-half (1½), two (2) story and multi-level dwellings in a residential R-2 district must have a livable floor space of eight hundred (800) square feet, with sidewall heights in one and one-half (1½) and multi-level dwellings not to be less than eight (8) feet in height. If the total livable square footage of this type of dwelling does not meet or exceed eight hundred (800) square feet then said structure must have eight hundred-fifty (850) square feet on the ground floor, exclusive of open or screened porches.

(Ord. 11-15-79, 11/15/1979, §8; as amended by Ord. 7-25-85, 7/25/1985, §4)

§703. Private Garages and Other Outbuildings. No garage or other outbuildings shall be placed nearer to a side or rear property line than ten (10) feet; provided, however, that the foregoing shall not prevent the following:

1. The building of a common or joint garage on lots adjoining at the side; or
2. The construction of a garage as a structural part of a dwelling and a garage so constructed may extend into an interior side yard required under this Chapter for a distance not to exceed four (4) feet, provided it has no window openings at the side and does not extend nearer than eight (8) feet to a side lot line.

(Ord. 11-15-79, 11/15/1979, §8; as amended by Ord. 1-23-92, 1/23/1992)

§704. Off - Street Parking Requirements. Off-street parking requirements shall be provided as required or permitted in accordance with Part 10 §1017 of this Chapter. (Ord. 04-13-00, 4/13/00, §1)

§705. Additional Provisions.

1. Upon recommendation by the Township Engineer to the Board of Supervisors, a traffic study may be required in conjunction with any proposed use in accordance with Part 10 §1015 of the Township of Logan Code of Ordinances.
2. A buffer area, fencing or similar screening may be required along any or all property lines, or portions thereof, or between uses on a lot in accordance with Part 10 §1015 of the Township of Logan Code of Ordinances.

(Ord. 02-10-00, 2/10/00, §1)

## Part 8

### Business Districts

§801. Business Districts. In "Business" Districts, only the following buildings, structures and uses shall be permitted:

1. All buildings, structures and uses permitted in Residence "R-2" Districts.

2. Stores, shops and business offices, restaurants, motels, hotels and theaters; garages and gas stations, subject to the regulations of Pennsylvania State laws and as permitted by law in all other respects; and all other buildings, structures and uses except the following, which are specifically prohibited:

A. Any process of manufacture, assembly or treatment which normally constitutes a nuisance by reason of odor, noise, dust or smoke, or which constitutes an unusual fire hazard.

B. Slaughtering poultry and animals, rendering lards and other fats and meat smoking, whether or not the same is incidental to a retail business.

C. Junkyards, second-hand material yards, and automobile graveyards and disassembly plants.

D. Repair or machine shops, not including public garages, employing more than five (5) persons.

E. Laundries or dyeing and cleaning works with capacity for more than ten (10) employees engaged in these processes.

F. Coal yards. [Ord. 1-23-92]

G. Bottling works and the brewing or distilling of liquors.

H. The storage of explosives, and the storage of crude oil or any of its volatile products or other highly inflammable liquids in above-ground tanks except in accordance with, State regulations thereto.

I. Stone and monument works.

J. All buildings, structures and uses prohibited in "Industrial" Districts.

K. Sexually Oriented Businesses. [Ord. 04-13-00]

(Ord. 11-15-79, 11/15/1979, §9; as amended by Ord. 1-23-92, 1/23/1992; as amended by Ord. 04-13-00, 4/13/2000, §1)

§802. Semi-Fireproof Construction. All buildings constructed or erected in a "Business District" shall comply with all regulations of Bulletin No. 109, Pennsylvania State Building Code, Division of Factory and Building Inspection, Department of Industrial Relations, entitled: "Workshops, Factories, Mercantile and Office Buildings," and other regulations applying to the type of building to

be constructed, except when the structure is to be used for residential purposes only, and it shall then, conform to the front, side and rear yard requirements of Residence "R-2" Districts. (Ord. 11-15-79, 11/15/1979, §9)

§803. Yard Area Setbacks. No building or structure shall be erected or enlarged unless the minimum yard areas and setbacks are provided as follows:

1. Front Yard - Not less than sixty (60) feet.
2. Side Yard - Not less than twelve (12) feet each. Where abutting upon a Residential District, there shall be provided side yards equal to thirty-five (35) feet each.
3. Rear Yard - Not less than twenty-five (25) feet, plus not less than an additional fifteen (15) feet, thereby being forty (40) feet where abutting a Residential District.
4. Height provisions shall be the same as for Residence R-2 Districts.

(Ord. 11-15-79 11/15/79 §9, as amended by Ord. 02-10-00, 2/10/00, §1)

§804. Off-Street Parking Requirements. Off-street parking requirements shall be provided as required or permitted in accordance with Part 10 §1017 of this Chapter. (Ord. 04-13-00, 4/13/00, §1)

§805. Additional Provisions

1. Upon recommendation by the Township Engineer to the Board of Supervisors, a traffic study may be required in conjunction with any proposed use in accordance with Part 10 §1015 of the Township of Logan Code of Ordinances.
2. A buffer area, fencing or similar screening may be required along any or all property lines, or portions thereof, or between uses on a lot in accordance with Part 10 §1015 of the Township of Logan Code of Ordinances.

(Ord. 02-10-00, 2/10/00, §1)

§806. Temporary Storage Facilities. Temporary storage facilities, including but not limited to, trailers or similar facilities or structures, which are not permanently affixed to the real estate are prohibited in a "Business" District, subject, however, to the following exceptions and regulations:

1. Trailers may be used to transport goods, inventory, equipment and other materials into, out of or through Business Districts.
2. Trailers or other temporary structures used in conjunction with the construction of buildings or other improvements shall be permitted during the period of construction.
3. The Board of Supervisors may, in its sole and absolute discretion, grant a temporary permit for the use of temporary storage facilities in a Business District provided that:

A. Permit shall not be issued for a period to exceed thirty (30) days in duration.

B. A permit fee as established from time to time by resolution, shall be paid in advance of the issuance of the permit. Subject to the sole and absolute discretion of the Board of Supervisors the permit may be renewed for one (1) additional thirty (30) day period for a renewal fee as established from time to time by resolution.

C. The Board of Supervisors shall, in addition to all other matters, consider the following criteria in determining whether said permit shall be used: The need for such temporary storage facility; the availability of alternate storage facilities; and whether the refusal to grant the permit would result in exceptional hardship to the applicant.

(Ord. 7-25-85, 7/25/1985, §5; as amended by Ord. 10-27-88, 10/27/1988)



## Part 9

### Industrial Districts

§901. Industrial Districts. In “Industrial Districts” there shall be permitted all buildings, structures and uses permitted in any of the other districts, and all other buildings, structures and uses, including wireless telecommunications radio links (cell towers/sites) and/or switching offices except the following, which are specifically prohibited: (as amended by Ord. 05-24-01, 05/24/01, §1)

1. Any process of assembly, manufacture or treatment constituting a nuisance by reason of smoke, odor, dust or noise and including, but not limited to, such things as the manufacture or refining of asphalt; blast furnaces; the manufacture or processing of cork, fertilizer, linoleum or oilcloth and glue or gelatin; the tanning of hides and skins; abattoirs and slaughter houses (except for poultry); and the manufacture of paint, oil and varnish.

2. Any process of assembly, manufacture or treatment constituting a hazardous use, including, but not limited to such things as: the manufacture or bulk storage of fireworks and explosives; and the manufacture of illuminating gas and other explosive or poisonous gases, except as may be incidental to a permitted industrial process.

3. The storage of crude oil or any of its volatile products or other highly inflammable liquids in above-ground tanks except in accordance with State regulations in respect thereto, and provided further that all aboveground tanks having a capacity of ten thousand (10,000) gallons or more shall be properly diked with dikes having a capacity equal to one and one-half (1½) times the capacity of the tank or tanks surrounded.

4. Junkyards, automobile graveyards or disassembly plants and the storage of second-hand materials for resale except entirely within a solid enclosure.

5. The storage, bailing or treatment of junk, iron, rags, bottles or scrap paper, except within a building.

6. Strip mining for mineral, sand, gravel, clay, limestone or sandstone covered by State Regulations.

7. Sexually Oriented Businesses. [Ord. 04-13-00]

(Ord. 11-15-79, 11/15/1979, §10; as amended by Ord. 04-13-00, 4/13/2000, §1)

§902. Off-Street Parking, Off-Street Parking Requirements. (Reserved)

§903. Yard Area Setbacks. No building or structure shall be erected or enlarged unless the following yards are provided and maintained in connection with such building, structure or enlargement:

1. Front Yard - Not less than sixty (60) feet.

2. Side Yard - Not less than fifteen (15) feet. When abutting a street, not less than thirty-five (35) feet. When abutting a Residential District or Business District, not less than

fifty (50) feet.

3. Rear Yard - Not less than thirty-five (35) feet. When abutting a street, not less than thirty-five (35) feet. When abutting a Residential District or Business District, not less than fifty (50) feet.

4. Height provisions shall be the same as for Residence R-2 Districts.

(Ord. 02-10-00, 2/10/00, §1)

§904. Additional Provisions

1. Upon recommendation by the Township Engineer to the Board of Supervisors, a traffic study may be required in conjunction with any proposed use in accordance with Part 10 §1015 of the Township of Logan Code of Ordinances.

2. A buffer area, fencing or similar screening may be required along any or all property lines, or portions thereof, or between uses on a lot in accordance with Part 10 §1015 of the Township of Logan Code of Ordinances.

3. Structures to be used for residential purposes only within said district shall conform to the front, side and rear yard requirements of Residence R-2 Districts. [Ord. 12-11-03]

(Ord. 02-10-00, 2/10/00, §1)

## Part 9.5

### Institutional Districts

§901.5. Purpose. It is the purpose and intent of this District to make provisions for institutional uses; and to encourage a harmonious pattern of development which can mutually benefit the Township and these institutions.

§902.5. Permitted Uses.

1. Public and private schools, colleges and universities and the following related uses and structures:

A. Dormitories.

B. Cafeterias and snack bars owned by or operated in conjunction with the school, college and/or university.

C. Ancillary service facilities selling or providing books, educational supplies, art supplies, athletic supplies, or other incidental clothing or food items owned by or operated in conjunction with the school, college and/or university.

D. Gymnasiums, stadiums, playing fields, courts, and rinks and swimming and diving facilities, and other athletic facilities.

E. Accessory uses on the same lot or tract with and customarily incidental to any of the foregoing permitted uses owned by or operated in conjunction with the school, college and/or university.

2. Public and private hospitals, sanitariums, mental or health center, nursing home, or similar health facility.

3. Institution or home for children, the aged, the indigent, or the handicapped.

4. Governmental uses and structures; except garages, warehouses, and storage yards.

5. Child Day Care Centers.

6. Public libraries, community centers, and museums.

7. Churches and similar places of worship, parish houses, and convents.

§903.5. Prohibited Uses. It is understood that any use not complying with the specifications of this Part is prohibited.

§904.5. Height Regulations. The maximum height of a building shall be the same as for Residence R-2 Districts.

§905.5. Area Regulations.

1. Yard Area Setbacks for Buildings. No building or structure shall be erected or enlarged unless the minimum yard areas and setbacks are provided as follows:

A. Front Yard - Not less than sixty (60) feet.

B. Side Yard - Not less than twelve (12) feet each. Where abutting upon a Residence District, there shall be provided side yards equal to thirty-five (35) feet each.

C. Rear Yard - Not less than twenty-five (25) feet, plus not less than an additional fifteen (15) feet, thereby being forty (40) feet where abutting a Residence District.

2. Yard Area Setbacks for Parking Areas.

A. No parking area shall be constructed or enlarged unless the minimum setback is seventy (70) feet from the property line of adjoining residentially zoned property.

B. Parking areas may be constructed or enlarged with a minimum setback of ten (10) feet from any public road right-of-way or property line of any non-residentially zoned property.

§906.5. Coverage Regulations. The lot coverage shall be no more than forty (40%) percent.

§907.5 Off-Street Parking. Off-street parking requirements shall be provided as required or permitted in accordance with Part 10 §1017 of this Chapter.

§908.5 Additional Provisions

1. Upon recommendation by the Township Engineer to the Board of Supervisors, a traffic study may be required in conjunction with any proposed use in accordance with Part 10 §1015 of the Township of Logan Code of Ordinances.

2. A buffer area, fencing or similar screening may be required along any or all property lines, or portions thereof, or between uses on a lot in accordance with Part 10 § 1015 of the Township of Logan Code of Ordinances. (Ord. 09-14-00, 9/14/00, §1)

3. Structures to be used for residential purposes only within said district shall conform to the front, side and rear yard requirements of Residence R-2 Districts. [Ord. 12-11-03]

(Ord. 04-13-00, 4/13/2000, §1; as amended by Ord. 09-14-00, 9/14/2000, §1)

## Part 10

### Exceptions and Special Provisions

§1001. Special Uses Permitted. The Zoning Hearing Board, as hereinafter created, may authorize the issuance of a permit for any of the following buildings or uses:

A. In Agricultural Districts or as set forth in specified residence districts:

(1) A nursing home or hospital.

(2) A clubhouse without features likely to occasion a nuisance in a residential neighborhood by reason of noise or other objectionable characteristics.

(3) An air landing field and its necessary appurtenances.

(4) A public or quasi-public building or private athletic field.

(5) Animal cemeteries.

(6) Boarding house, rooming house or dormitory, as defined in Part 3 hereof.

(7) Student home for no more than three students located in a dwelling with a floor area of at least 850 square feet, exclusive of basements, garages and accessory buildings. A special exception authorizing a student home shall expire without further action by the Township unless the use is registered on a yearly basis with the Township. Students homes shall meet the area and width regulation for single-family dwelling, except that student homes are not permitted in structures designed as townhouses and/or row houses.

(8) Mobile Home Park.

(9) Home Occupations - Home occupations, as defined, shall be subject to and shall comply with the following provisions and regulations:

The area occupied by the home occupation shall not exceed more than 25% of the total floor area, exclusive of porches and garages, or 400 square feet, whichever is the lesser.

1. There shall be no displays on the premises visible from the outside.

2. Off-street parking requirements shall be as prescribed in this chapter, and the computation of required off-street parking shall apply to the area devoted to the home occupation and shall be in addition to those for the residential use. The area devoted to off-street parking for the home occupation shall also comply with the buffer area regulations of this chapter.

3. There shall be no exterior evidence of such use.

[Ord. 06-27-02A]

Such special permits, however, may be authorized by the Zoning Hearing Board only upon satisfaction in each instance of such conditions as to general character, height, and use of structure, the provision of surrounding open space and treatment of the grounds, and as to street capacity and use as in the opinion of the Board may be necessary to safeguard public health, comfort and convenience, and as may be required for the preservation of the general character of the neighborhood in which such building is to be placed or such use is to be conducted.

(Ord. 11-15-79, 11/15/1979, §11; as amended by Ord. 6-16-83, 6/18/1983, §2; and by Ord. 1-23-92, 1/23/1992; and by Ord. 04-13-00, 4/13/2000, §1; and by Ord. 09-14-00, 9/14/2000, §1)

B. In Agricultural A-1 Districts:

(1) Sexually Oriented Businesses. The Zoning Hearing Board, as hereinafter created, may authorize the issuance of a permit for Sexually Oriented Businesses if the said Businesses comply with the requirements of Chapter 13, Part 6 Regulating the Time, Manner and Place of Sexually Oriented Businesses as well as comply with the following:

(a) A sexually oriented business shall not be located within 1,000 feet of a church; a public or private pre-elementary, elementary or secondary school; a public library; a child care facility or nursery school; a public park adjacent to any residence district; a child-oriented business; or the boundary of any residence district.

(b) A sexually oriented business shall not be located within 1,000 feet of another sexually oriented business.

(c) For the purpose of §1001B(1)(a) of this Part 10, measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of the building or structure used as a part of the premises where a sexually oriented business is conducted, to the nearest property line of the premises of a church, public or private pre-elementary, elementary, or secondary school, public library, child care facility, child-oriented business, or nursery school; to the nearest boundary of an affected public park; or to the nearest boundary of any residence district.

(d) For purposes of §1001B(1)(b) of this Part 10, the distance between any two sexually oriented businesses shall be measured in a straight line, without regard to intervening structures or objects, from the closest exterior wall of the structure in which each business is located.

(e) A sexually oriented business lawfully operating on the date of enactment of this Part that is in violation of §1001B(1)(a) or (b) of this Part 10 shall be deemed a nonconforming use.

(f) A sexually oriented business lawfully operating as a conforming use is not rendered a nonconforming use by the subsequent location of a church, public or private pre-elementary, elementary or secondary school, public library, child care facility, child-oriented business, nursery school or public park or residence district within 1000 feet of the sexually oriented business.

(g) §1001B(1)(a) through (f) of this Part 10 do not apply to modeling classes

operated:

1. By a proprietary school, licensed by the Commonwealth of Pennsylvania, or a college, junior college, or university supported entirely or partly by taxation;
2. By a private college or university which maintains and operates educational programs in which credits are transferable to a college, junior college, or university supported entirely or partly by taxation; or
3. In a structure -
  - a. Which has no sign visible from the exterior of the structure and no other advertising that indicates a nude person is available for viewing; and
  - b. Where, in order to participate in a class, a student must enroll at least three (3) days in advance of the class; and
  - c. Where no more than one (1) nude model is on the premises any one time.

#### C. Separation Requirements.

(1) No residential use authorized under Section 1001, Subsection A above shall be permitted if any other residential use listed in that subsection or any nonconforming use is located in any residential zoning district and within 500 feet from another measured by the shortest distance between the lot on which the proposed use will be located and the lot or lots which contain the existing use.

(2) Legislative intent. Certain uses in the various zoning districts, while compatible with other lawful uses, can be detrimental to the quiet use and enjoyment by others of their property if concentrated in the same neighborhood. The Board of Supervisors has determined that undue concentration can be avoided by mandating a minimum distance of separation between these uses. Thus the essential nature of the various districts can be maintained while providing a broad level of inclusion for the variety of uses that enrich our community. (Ord. 09-14-00, 9/14/00, §1)

(Ord. 04-13-00, 4/13/2000, §1; as amended by Ord. 09-14-00, 9/14/2000, §1)

#### §1002. Yard Exceptions.

##### 1. For large scale housing developments:

A. Upon presentation to the Zoning Hearing Board of a site plan showing location of buildings, streets, yards and other open spaces, for the unified development of an area bounded on all sides by street or park or other permanent public open space, the Board may waive all side and rear yard requirements with respect to such development, and direct the Zoning Officer to issue permits in accordance with the approved plan thereof, provided: [Ord. 1-23-92]

(1) That open space equal to or greater than that required under the yard restrictions of the district in which the proposed development is to be located is otherwise furnished within the tract in such manner as to give equally good access of light and air to individual dwellings; and

(2) That the total coverage of the net land area (exclusive of streets) by buildings shall not exceed twenty (20%) percent in a Residence R-1 District or twenty-five (25%) percent in a Residence R-2 District, or thirty (30%) percent in any other district.

2. For closely built-up areas:

A. Where there is at the time of the enactment of this Chapter a lot forty (40) feet or less in width, in a Residence District, pocketed by buildings existing on the two (2) lots adjoining at the side, both being in other ownership, it shall be permitted to build or rebuild a single family dwelling upon such lot without requirement of side yards wider than the respective adjacent side yards existing on the adjoining lots.

(Ord. 11-15-79, 11/15/1979, §11; as amended by Ord. 1-23-92, 1/23/1992)

§1003. Alteration of Existing Dwellings. Nothing herein shall prevent alteration of a single family dwelling, existing at the time of enactment of this Chapter, in a Residence "R-2" District for multiple family dwelling (as defined herein) and use, provided: (1) that after alteration of building, the area of lot upon which the building is located amounts to not less than one thousand (1,000) square feet for each dwelling unit; (2) that no dwelling unit shall have less total floor area than six hundred (600) square feet; (3) that no living quarters are placed in a basement or in any other room or space having less than six feet (6) of ceiling clearance above the average outside ground level; and (4) that there is not exterior alteration of the building except as may be necessary for safety and for improved access to the building. (Ord. 11-15-79, 11/15/1979, §11; as amended by Ord. 1-23-92, 1/23/1992)

§1004. Public Garages and Gas Filling Stations.

1. No public garage repair space shall have an opening in roof or walls within fifteen feet (15) of any side property line, and: (1) in Business Districts, no public garage, or private garage accommodating more than five (5) cars, or gas filling station shall have a vehicular entrance upon the same side of the street with, and closer to, an entrance to a public school, church, hospital, public park, playground, or fire station, than one hundred feet (100), except that this shall not apply if a street fifty feet (50) wide or wider intervenes between such garage or gas filling station entrance and the entrance to such public place, and (2) in all other districts, no such garage or gas filling station entrance shall be closer to an entrance to such a public place than two hundred feet (200) whether or not on the same side of the street, and whether or not there is an intervening street, and said measurement shall be taken as the shortest distance between such entrances, across the street if the entrances are upon opposite sides of the street, and along the street frontage if both entrances are on the same side of the street or within the same city block.

2. All gas filling stations shall be so arranged, and all gasoline pumps shall be so placed as to permit all servicing on the premises and outside the public way; and no gasoline pump shall be placed closer to a side property line than ten (10) feet.



(Ord. 11-15-79, 11/15/1979, §11)

§1005. Sign and Billboards.

1. In a Residence District, no stationary signs or billboards shall be permitted except; customary professional signs and rooming and boarding house signs, not larger than two (2) square feet; tourist home signs not larger than four (4) square feet; real estate signs, not larger than eight (8) square feet, when placed on properties offered for sale or rent; signs appropriate to a public or quasi-public buildings; signs identifying a building or use permitted under this Chapter; and signs incident to legal process and necessary to the public welfare. Political signs and advertisements not larger than four (4) feet by four (4) feet shall be permitted for a prior commencing two (2) months before the general, municipal, special or primary election, and terminating two (2) weeks following any election and during no other period. As amended December 27, 1973.

2. In all other districts there shall be no limitation upon the size, character and placement of signs and billboards except that:

A. No sign or billboard shall extend more than five (5) feet over a sidewalk or other public way.

B. No free standing sign or billboard shall have less than three (3) feet of bottom open space along its entire length. Latticing shall be regarded as satisfying this requirement.

C. In matters of setback from the street and in all other respects, billboards shall be regarded as buildings or structures within the meaning of this Chapter.

D. All signs and billboards shall otherwise conform to all other pertinent ordinances of the State of Pennsylvania.

E. Advertising display upon a barn or other building or surface shall be regarded as coming within the above regulations.

(Ord. 11-15-79, 11/15/1979, §11)

§1006. Buildings of Public Utility Corporations. Nothing in this Chapter shall apply to any existing or proposed building or extension thereof, used or to be used by a public utility corporation if, upon petition of the corporation, the Public Utility Commission shall after a public hearing decide that the present or proposed situation of the building in question is reasonably necessary for the convenience or welfare of the public. (Ord. 11-15-79, 11/15/1979, §11)

§1007. Fire Escapes. Fire Escapes may project into a required side yard not more than one-third (1/3) of its width, and not more than four (4) feet in any case. [Ord. 12-11-03]

§1008. Height Exceptions. Nothing herein contained shall be interpreted to limit or restrict the height of a church spire, radio or wireless tower, belfry, clock tower, chimney flue, water tower, elevator bulkhead, State tower, scenery lift or similar structures. (Ord. 11-15-79, 11/15/1979, §11)

§1009. Continuance of Non-Conforming Uses. Uses, not conforming to the regulations of the

district in which they are located at the time of enactment of this Chapter, shall be known and regarded as non-conforming.

1. A non-conforming building or use may be continued subsequent to adoption of this Chapter provided there shall thereafter be no structural extension or addition to such non-conforming building or use exceeding: (1) fifty (50%) percent of the cubical contents of the building or buildings as existing at the time of enactment of this Chapter, or (2) fifty (50%) percent of the existing service capacity if the use is conducted all or partly in the open. Subsequent to such allowable addition to building or expansion of use, there shall be no further additions or expansion except in accordance with the regulations for the district in which such non-conforming building or use is located.

2. A non-conforming use may not be changed to another non-conforming use disallowed by this Chapter in a district in which the original non-conforming use would be permitted.

(Ord. 11-15-79, 11/15/1979, §11)

§1010. Revision of Non-Conforming Buildings and Uses.

1. A non-conforming building or use may not be altered, rebuilt or resumed, except in conformity with the regulations for the district in which it is located if: (1) It has once been changed to a conforming use; (2) subsequent to the enactment of this Chapter it has been discontinued for a consecutive period of one (1) year or more, which shall be deemed an abandonment of the non-conforming use. [Ord. 1-23-92]

2. The provisions in this subsection shall-not apply in respect to nonconformity in side and rear yards.

(Ord. 11-15-79, 11/15/1979, §11; as amended by Ord. 1-23-92, 1/23/1992)

§1011. Permanence of Yards and Other Open Spaces. No space applied under this Chapter to satisfy the yard requirements in relation to any building, whether now or subsequently built, shall be counted as part of a yard or required open space in relation to any other building. (Ord. 11-15-79, 11/15/1979, §11)

§1012. Temporary Permits. Temporary permits may be authorized by the Zoning Hearing Board for a period not to exceed one (1) year, for non-conforming uses incidental to housing any construction projects and including such structures and uses as storage of building supplies and machinery, and a real estate office located on the tract being offered for sale; provided such permits are issued only upon agreement by the owner to remove the structure or structures upon expiration of permit. Such permits are annually renewable over a period not to exceed three (3) years. (Ord. 11-15-79, 11/15/1979, §11; as amended by Ord. 1-23-92, 1/23/1992)

§1013. Fencing of Retention Basins or Ponds. The owner of the real estate upon which there is located a retention basin or pond shall erect and maintain a fence or barrier enclosing said retention basin or pond. Said fence shall be constructed of chain link, or other similar material as may be approved by the Board of Supervisors, with a minimum height of six (6) feet. No fence shall be constructed in a manner so as to obstruct the line of vision of the operators of motor vehicles at the intersection of any street or road.

(Ord. 7-25-85, 7/25/1985, §6; Ord. 10-31D-85, 10/31/1985, §2)

§1014. Nonconforming Duplexes, Triplexes and Townhouses/Row Houses. Any and all Duplex, Triplex or Townhouse/Row House structures/buildings which do not comply, as of January 1, 1998, with the side yard setbacks as well as area and frontage regulations of the zoning district in which they are located, shall be regarded as permitted nonconforming structures/buildings.

1. A nonconforming Duplex, Triplex and/or Townhouse/Row House structure/building shall not be deemed to be violative of the regulations of the zoning district in which it is located and may be sold, gifted and/or otherwise conveyed without being in violation of said regulations. For purposes of this Chapter 27, a Duplex and Triplex structure/building shall be defined as a structure under a single roof with or without fire-wall partitions or party walls, designed for occupancy by or to be occupied by two or three households respectively living as families wherein each such section housing said households has a separate deed for each such section and may be conveyed separately. For purposes of this Chapter 27, a Townhouse shall have the same meaning as a Row House as defined herein with the addition that each such Row House has a separate deed for each such structure/building and may be conveyed separately.

2. The continuance and/or revision of said nonconforming Duplex, Triplex and/or Townhouse/Row House structure/building shall comply with the provisions set forth in Part 10, Sections 1009 and 1010 of this Chapter 27.

(Ord. 3-19-98, 3/19/98, §1)

§1015. Traffic Studies and Buffer Areas.

1. Traffic Study.

A. Applicability. Any use within any district may be required to provide a traffic study where the Township determines it is necessary for the safety and welfare of Township residents using the streets in the area of the proposed use.

B. General Requirements. The traffic study shall include a comparative analysis of present capacity of street(s) adjacent to the proposed use with potential capacity and volumes generated by the proposed use, together with necessary points of access to off-street parking and loading. Traffic data available from available sources should be utilized including, but not limited to any information from the Blair County Planning Commission and the Logan Township Municipal Office. Additionally, traffic studies shall include such other requirements as deemed necessary by the Township Engineer.

2. Buffer Areas.

A. Applicability. Any use within any district may be required to provide a buffer area where the Township determines it is necessary to screen or block vision, noise or other negative by-products associated with that use. It may be required to separate an intense use such as a business or industry from a less intense use such as a single family residence. The exact placement and character of the buffer area shall be established by the Township subject to following general requirements.

B. General Requirements.

(1) A buffer area shall provide a year-round visual screen. The buffer area may consist of one or a combination of the following:

(a) Native species of evergreen and deciduous plant material;

(b) A natural or artificial land form or wooded area, provided such area is preserved from future development by easement, deed restriction, covenant or similar measure; or

(c) An exposed fence or wall between 5 and 8 feet in height with at least 60 percent of the surface being opaque with appropriate landscaping as determined by the Township based on the objectives and requirements of the section.

(2) Unless otherwise specified by this Chapter, the required depth of any buffer area shall be determined by the Township based on the objectives and requirements of this section.

(3) When a planted buffer is utilized, it shall consist of a mix of native species of evergreen and deciduous plant materials. At the time of planting, the evergreen material shall be sufficient to screen the property visually and shall be a minimum of 5 feet in height (at the time of planting). The remainder of the plantings may be of varying lesser heights.

(4) When a fence, wall or structure is used, it shall be designed to be architecturally compatible with adjacent buildings, and, comply with all other applicable provisions of this Chapter.

(5) The property owner shall be responsible for the continuing maintenance of all buffer areas, including the replacement of any dead plant material. Buffer areas shall be kept clean of all debris, rubbish, weeds and tall grass.

(6) No structure shall be permitted within a required buffer area, except an authorized fence or wall, nor shall a buffer area be used for parking, loading, vehicular circulation, such as a private road, storage or any other purpose.

(7) The buffer area shall be continuous along property lines where they are required, except for points of vehicular or pedestrian access. Clear sight distances at all street and driveway intersections shall be maintained.

(8) The Township may authorize a modification in the otherwise applicable buffer area requirements where it determines that: (1) a greater buffer area, or an element thereof, is required to accomplish the purposes of this Chapter; or (2) the changes in elevation between abutting properties or other natural features exist such that they decrease or eliminate the need for the buffer area at the points where the buffer area is required by this Chapter.

(Ord. 02-10-00, 2/10/00, §1)

§1016 Screening Of Obtrusive Uses. In any Business, Industrial and/or Institutional District, and in any Multiple Family Dwelling use, all refuse, garbage, similar solid waste and recyclables shall be enclosed in a masonry or equivalent structure of sufficient height, width and depth to prevent dispersal of the solid waste in the vicinity with a solid gate sufficient to conceal the contents. In addition, in all said Districts and in conjunction with said use, parking, loading areas or another visually obtrusive uses shall be screened from view of the adjacent uses, properties or public streets as determined by the Township based upon the objectives and requirements of this part. (Ord. 09-14-00, 9/14/00, §1) (Ord. 02-10-00, 2/10/2000, §1; as amended by Ord. 09-14-00, 9/14/2000, §1)

§1017. Off-Street Parking Requirements.

1. Application.

A. Unless specifically exempted by the provisions of this Part, all structures built and all uses established hereafter shall provide off-street parking areas in accordance with this Part. This Part shall also be applicable to any tract or area of land used for parking vehicles regardless of being for profit or not for profit.

B. When an existing structure or use is expanded, parking spaces for the area or capacity of such expansion shall be required in accordance with this Part.

C. An expansion or alteration of an existing use, or a subdivision or combination of zoning lots, shall not result in the elimination of any existing required off-street parking spaces.

2. General Provisions.

A. Open Parking: Open-air parking areas shall be located on a zoning lot in accordance with the provisions of the district regulations.

B. Enclosed Parking: Enclosed parking facilities containing off-street parking shall be subject to the area and bulk requirements applicable in the district in which they are located, unless otherwise specified in this Part.

C. Location: Required off-street parking spaces shall be located on the same zoning lot as the structure or use that they serve unless a joint use or off-site parking plan is approved (see Sections H or I below).

D. Design and Maintenance:

(1) Size. The minimum dimensions for a conventional parking space will be 9 feet in width by 18 feet in length, exclusive of curbs and maneuvering space. For a handicapped parking space, the size shall be 12.5 feet in width by 20 feet in length. [Ord. 11/09/00; 11-09-00, §4]

(2) Design. Each parking space shall open directly onto an aisle or driveway with a minimum dimension of not less than 25 feet. Driveways

and aisles for other than single, two family or individual townhouse dwellings shall be designed so that each vehicle may have ingress and egress from the space without moving any other vehicle. All access ways shall be designed so as to provide safe exit and entrance from the public street, in accordance with applicable Township standards or PaDOT specifications.

(3) Surfacing. All parking areas, including those for family dwellings, shall be graded and paved or otherwise improved with an all-weather, dustless material of asphalt, concrete, grouted brick, paving blocks or similar materials approved by the Township.

(4) Striping. Parking areas shall be stripped to outline the entire parking space with a durable paint and maintained in said manner.

(5) Signs. Unless otherwise provided in this Chapter, no signs shall be displayed in any parking area within any residence district, except as may be necessary for the orderly use of the parking facilities.

(6) Storm Water. Adequate storm water drainage facilities shall be installed in order to insure that storm water does not flow onto abutting property or abutting sidewalks in such a way or quantity that pedestrians using the sidewalk would be detrimentally affected or inconvenienced.

(7) Maintenance. Parking spaces shall be kept clean of debris, refuse and garbage and maintained so as to be free of potholes and other defects which might constitute danger to persons or property.

E. Landscaping: In business, industrial and institutional districts and in any multifamily dwelling use, all open off-street parking areas containing more than 15 parking spaces shall have a 3 foot minimum landscaped area on each side in accordance with the Subdivision and Land Development Ordinance. Parking areas shall be arranged and designed so as to prevent damage to, or intrusion into, such landscaping. Clear sight triangles, as defined by this Part, shall be maintained. Open parking areas for 50 or more cars shall be interspersed with land form or other appropriate landscape or planted area. [Ord. 06-27-02A]

F. Lighting: Any lighting used to illuminate off-street parking areas and driveways shall be directed away from residence properties or public street in such a way as not to interfere with such uses and all such lighting shall be do arranged so as to protect the street or highway and adjoining property from direct glare or hazardous interference of any kind. Any luminary shall be equipped with some type of glare shielding device approved by the Zoning Officer. The height of any luminary shall not exceed twenty-five (25) feet in a residential or agricultural zone, and fifty- (50) feet in all other zoning districts. The lighting system shall furnish minimally an average of two foot candles during hours of operation. [Ord. 06-27-02A]

G. Repair and Service: No motor vehicle repair work or service of any kind shall be permitted in association with my off-street parking facility, other then for a single or two family dwelling.

#### H. Joint Use of Parking Spaces:

(1) Two or more uses may share a common parking area provided the total spaces equal or exceed the sum of the spaces required for each use individually. However, the Board of Supervisors may approve a joint parking plan which permits a reduction in this total subject to the following:

a. A written report shall be prepared by the applicant which clearly demonstrates that one or more uses require parking at times when other uses in the building or complex are not normally in operation and, therefore, the uses could share parking, thus reducing the total spaces that otherwise would be required for all uses.

b. Not more than 50 percent of the required parking spaces for any one use shall be supplied jointly with other uses, except that up to 100 percent of the spaces for a place of worship or school may be supplied jointly with another use.

c. All uses shall be located within 350 feet of the joint parking spaces and connected by safe pedestrian access.

d. A written agreement shall be executed with the Township assuring the continued availability of the joint parking spaces to all proposed uses.

(2) Any change or expansion of the uses sharing the joint parking area shall require a new review by the Board of Supervisors and may result in additional spaces being required and a revised agreement with the Township. [Ord. 06-27-02A]

(3) Continued compliance with approved joint parking plan is a condition of occupancy; any violation thereof may result in the suspension or revocation of the occupancy.

#### I. Off-site Parking Facilities:

The Board of Supervisors may approve a plan for providing all or some of the required off-street parking spaces on a lot other than where the principal use is located, provided that:

(1) Both lots are held in the same ownership, or a lease has been executed for the spaces which guarantees their availability for as long as the use exists. Evidence of ownership or a copy of the lease shall be filed with the Township.

(2) The off-site parking spaces are located within 350 feet distance from the principal use and connected by a safe pedestrian walkway.

(3) The continued availability of the approved off-site parking shall be a condition of occupancy for the principal use which they serve; any violation thereof may result in the

suspension or revocation of the principal user's occupancy.

J. Parking for Recreational Vehicles: A recreational vehicle shall be parked or stored in an off-street parking space.

### 3. Required Spaces by Type of Use

A. When calculating the required number of spaces, a fractional space of one half or over shall be considered an entire space while a fraction below one-half may be disregarded.

B. In the case of a single or two-family residence or townhouse unit, a driveway for the dwelling may count as one off-street parking space, provided such parking does not block access to parking for another dwelling.

C. Wherever employee parking is required by this section, it shall be calculated based on the number of employees on a peak shift.

D. The following shall be the minimum number of parking spaces required; additional spaces may be required by the Township as a result of the development application review.

<u>LAND USE</u>	<u>REQUIREMENT</u>
Agricultural service business	1 space per each 400 sq. ft. of enclosed gross floor area
Art gallery or art museum	1.2 spaces per 1000 sq. ft. of enclosed gross floor area
Auditorium or non-commercial movie theater	1 space per each 4 fixed seats or 6 linear feet of fixed benches; if there is no fixed seating, 1 space for each 75 sq. ft. of enclosed gross floor area
Automobile parts store	1 space per each 300 sq. ft. of enclosed gross floor area
Automobile repair shop	1 space per each service bay, a service bay shall not count as a parking space
Automobile sales	1 space per each 600 sq. ft. of enclosed gross floor area + 1 space for each 2000 sq. ft. of outside display area + 100% of the additional parking spaces required by this table for other land uses on the same lot (e.g., an automobile repair shop); 170 sq. ft. of lot area shall be provided for each vehicle stored on the premises
Bait shop	1 space per each 300 sq. ft. of enclosed gross floor area



Bakery	1 space per each 500 sq. ft. of enclosed gross floor area for the first 25,000 sq. ft. of gross floor area + 1 space per each 650 sq. ft. of enclosed gross floor area for the next 25,000 sq. ft. + 1 space per each 800 sq. ft. of enclosed gross floor area over 50,000 sq. ft.
Bank or financial institution	1 space per each 300 sq. ft. of enclosed gross floor area + 3 reserved waiting spaces of not less than 20 ft. in length shall be provided at each drive-in window
Bar, tavern, night club, dance hall	1 space per each 100 sq. ft. of enclosed gross floor area
Basketball court, tennis court, racquetball court	5 spaces per each court or 1 space per each three spectator seats, whichever is greater
Beauty parlor, barber shop	1 space per each 200 sq. ft. of enclosed gross floor area
Bed and breakfast establishment	1 space per guest bedroom + 2 spaces for permanent residents
Beverage distributor	1 space per each 350 sq. ft. of enclosed gross floor area
Bicycle repair shop	1 space per each 350 sq. ft. of enclosed gross floor area
Bookstore	1 space per each 250 sq. ft. of enclosed gross floor area
Bowling alley	3 spaces per each alley + 50% of the additional parking spaces required by this table for other land uses on the premises (e.g. restaurant, bar)
Building, plumbing, welding, and/or heating supplies store	1 space per each 500 sq. ft. of enclosed gross floor area used for display + 1 space per each 1000 sq. ft. of enclosed gross floor area of warehouse area + 1 space for each company vehicle.
Campground	1 space per campsite
Car wash	1 space per each employee + storage areas for at least 5 times the number of cars that can be in the wash process at any one time
Cemetery	1 space per employee

Clubs, lodges	1 space per each 300 sq. ft. of enclosed gross floor area
Community center	1 space per each 250 sq. ft. of enclosed gross floor area
Contractor's yard	1 space per each 2000 sq. ft. of enclosed gross floor area or 1 space per employee, whichever is more
Convalescent center, nursing home	1 space per each 600 sq. ft. of enclosed gross floor area
Convenience store	1 space per each 300 sq. ft. of enclosed gross floor area + 80% of the additional parking spaces required by this table for other land uses on the same premises (e.g., gasoline station) [Ord. 06-27-02A]
Convent, monastery, or religious residence	1 space per each 1000 sq. ft. of enclosed gross floor area
Correctional facility	1 space per employee + 1 space per every 25 inmates of maximum capacity
Crematorium	1 space per every 4 seats of chapel capacity + 1 space per each 3 employees
Data processing facility	1 space per 300 sq. ft. of enclosed gross floor area
Day care center	2 spaces for each three teachers, employees, or administrators
Dormitories	1 space per every 3 beds occupied at maximum capacity
Dry cleaning establishment	1 space per each 300 sq. ft. of enclosed gross floor area
Emergency medical or ambulance service	1 space per employee + 1 space for each motor vehicle operated in connection with the service
Employment agency	1 space per 200 sq. ft. of enclosed gross floor area
Exterminator	1 space per 800 sq. ft. of enclosed gross floor area
Farm (agricultural or silvicultural)	1 space per employee

Fire or police station	1 space per each 2 employees
Food catering facility	1 space per each employee
Funeral home, mortuary	1 space per 1000 sq. ft. of enclosed gross floor area
Furniture store	1 space per 1000 sq. ft. of enclosed gross floor area
Gasoline station	1 space per each fuel nozzle + 1 space per each 50 sq. ft. of usable floor area in the cashier's office (All gas station/convenience store businesses shall be classified as a convenience store in this table.)
Golf course (non-miniature)	100 spaces per each 9 holes
Golf course (miniature)	1.5 spaces per each hole
Golf driving range	1.5 spaces per each tee
Government building	1 space per each 200 sq. ft. of enclosed gross floor area used by the public + 1 space per each 600 sq. ft. of enclosed gross floor area not used by the public
Grocery store, supermarket	1 space per each 250 sq. ft. of enclosed gross floor area + 100% of the additional parking spaces required by this table for other land uses in the same building (e.g., restaurant) [Ord. 06-27-02A]
Gunsmith, hunting supplies store	1 space per each 350 sq. ft. of enclosed gross floor area
Hardware store	1 space per each 400 sq. ft. of enclosed gross floor area
Health club	1 space per each 300 sq. ft. of enclosed gross floor area [Ord. 06-27-02A]
Historical use or historical museum	1.2 spaces per 1000 sq. ft. of enclosed gross floor area
Hospital	1 space per every 2 beds + 1 space for each 5 outpatients at the peak outpatient period + 1 space per each employee + 1 space per each hospital vehicle (Bassinets may not be counted as beds.)

Hotel/motel/inn	1 space per each guest room + 50% of the parking spaces that this table would require for other commercial uses within the same building (e.g., restaurant)
Junkyard, landfill	2 spaces for every 3 employees + 1 space for each motor vehicle customarily used in connection with the facility
Kennel or animal grooming facility	1 space per each 400 sq. ft. of enclosed gross floor area
Laundromat, commercial laundry	1 space per each 200 sq. ft. of enclosed gross floor area
Library	1 space per each 1000 sq. ft. of enclosed gross floor area
Liquor store	1 space per each 400 sq. ft. of enclosed gross floor area
Machinery sales and/or service business (farm machinery, construction equipment, industrial or mining equipment, commercial trucks, boats, etc.)	1 space per each 600 sq. ft. of enclosed gross floor area + 1 space for each 2500 sq. ft. of outside display area + 2 spaces per each service bay + 1 space per each employee
Manufacturing, industrial, and/or research and development facility	1 space per each 500 sq. ft. of enclosed gross floor area for the first 25,000 sq. ft. of gross floor area + 1 space per each 650 sq. ft. of enclosed gross floor area for the next 25,000 sq. ft. + 1 space per each 800 sq. ft. of enclosed gross floor area over 50,000 sq. ft.
Meeting room facility other than those listed	1 space for each 4 seats or 1 space for each 100 sq. ft. of gross floor area, whichever is less
Mining and/or mineral extraction facility	1 space per employee + 1 space for each company vehicle
Mobile Home Park	2 spaces per mobile home lot ( <u>Ord. 09-14-00, 9/14/00, §1</u> )
Model home sales office	1 space per each 300 sq. ft. of enclosed gross floor area

Movie theater (commercial)	1 space per each 4 fixed seats or 6 linear feet of fixed benches; if there is no fixed seating, 1 space for each 75 sq. ft. of enclosed gross floor area
Multi-household Residential complex sales office	1 space per each 300 sq. ft. enclosed gross floor area
Museum (other than art or historical)	1.2 spaces per 1000 sq. ft. of enclosed gross floor area
Nursery or greenhouse (commercial)	1 space per 1000 sq. ft. of enclosed gross floor area + 1 space per 2000 sq. ft. of outside sales area
Office (business or professional, but not medical or dental)	1 space per 300 sq. ft. of enclosed gross floor area
Office (medical or dental)	1 space per each 250 sq. ft. of enclosed gross floor area
Park, playground, or other non-commercial recreational facility	1 space for every 4 persons of maximum design capacity for the facility
Pet shop	1 space per each 300 sq. ft. of enclosed gross floor area
Pharmacy or drug store	1 space per each 250 sq. ft. of enclosed gross floor area
Photography studio	1 space per each 400 sq. ft. of enclosed gross floor area
Place of worship	1 space per each 6 fixed seats or 9 linear feet of fixed benches. If there is no fixed seating, 1 space for each 100 sq. ft. of enclosed gross floor area. For places of worship where 25% or more of the parishioners walk to such place, the parking space requirement may be reduced proportionately subject to the approval of the zoning officer

Printing and/or publishing facility	1 space per 1000 sq. ft. of enclosed gross floor area or 1 space per employee, whichever is greater
Radio or television station	1 space per 1000 sq. ft. of enclosed gross floor area
Railroad, bus, or other transit terminal or station	1 space per each 600 sq. ft. of gross floor area
Railroad maintenance facility or switching yard	1 space per employee
Repair shop (for common household appliances such as radios, televisions, and vacuum cleaners)	1 space per each 600 sq. ft. of enclosed gross floor area
Residential dwelling	2 spaces per dwelling containing 2 or less bedrooms
Residential dwelling containing more than 2 bedrooms	2 spaces per dwelling + 1 space per every 2 bedrooms over 2 bedrooms
Residential dwelling exclusively for the elderly	1 space per dwelling
Restaurant (sit down), including restaurants with bars	1 space per each 200 sq. ft. of enclosed gross floor area
Restaurant (fast food)	1 space per each 100 sq. ft. of enclosed gross floor area
School (for dance, music, crafts, martial arts, or the fine arts)	1 space per each 200 sq. ft. of enclosed gross floor area
School, public or private (elementary)	1 space for each 20 students of design capacity + 1 space per each 400 sq. ft. of enclosed gross floor area for offices or teacher lounges
School, public or private (junior high)	1 space for each 15 students of design capacity + 1 space for each 400 sq. ft. of enclosed gross floor area for offices or teacher lounges
School, public or private (high school or "vo-tech" school)	1 space for each 10 students of design capacity + 1 space for each 400 sq. ft. of enclosed gross floor area for offices or teacher lounges

School (trade school)	1 space for each 2 students
Self-service storage facility	1 space per each 2000 sq. ft. of enclosed gross floor area
Sexually oriented business	1 space per 200 sq. ft. of enclosed gross floor area. Adult theaters shall follow the requirements for movie theaters
Shopping center, shopping mall, department store	Stores shall provide a minimum of 1 parking space per each 250 sq. ft. of enclosed gross floor area used for retail and a maximum of 1 space per each 180 sq. ft. of enclosed gross floor area used for retail. Stores shall also provide 50% of the parking spaces that this table would require for non-retail uses within the same building (e.g., restaurants). [Ord. 06-27-02]
Skating rink	1 space for each 250 sq. ft. of enclosed gross floor area
Slaughterhouse	1 space per each 1000 sq. ft. of enclosed gross floor area
Stadium (including high school football stadiums)	1 space per 75 sq. ft. of assembly area or 1 space per every 5 fixed seats, whichever is greater (20 inches of fixed bench shall be considered a fixed seat here)
Student home	3 spaces per each student home occupying a premises ( <u>Ord. 09-14-00</u> , 9/14/00, §1)
Swimming pool	1 space for each 100 sq. ft. of water surface area + space for each 30 sq. ft. of area used for spectator seating purposes
Travel agency	1 space per each 200 sq. ft. of enclosed gross floor area
Truck terminal	1 space per 1000 sq. ft. of enclosed gross floor area or 1 space per employee, whichever is greater
Utility facility, commercial communications facility or tower	1 space per employee at the peak shift on an average day

Veterinary office, animal clinic, or animal hospital	1 space per each 500 sq. ft. of enclosed gross floor area
Warehouse	1 space per 2000 sq. ft. of enclosed gross floor area
Others not listed above	to be determined by the Board of Supervisors, based on a recommendation from the Township Engineer

#### 4. Reduction of Required Parking Spaces

A. Parking for elderly housing may be reduced to one space for every five dwellings subject to the approval of the Board of Supervisors. For purposes of this Part, elderly housing shall be a building or portion thereof with units designed and reserved specifically for the occupancy by persons 62 or more years of age.

(27, §1017, cont'd.) (27, §1017, cont'd.)

B. The aforementioned non-residential parking space requirements may be reduced up to 10% of the required parking for any non-residential use, building or complex if the non-residential use, building or complex is within 1,000 feet of any regularly scheduled bus stop/train station. If a bus stop/train station is proposed, a letter from the applicable transit authority is required which states their intentions to serve the proposed development with a regularly scheduled stop. [Ord. 06-27-02A]

#### 5. Non-Residential Parking in Residence Districts:

Accessory off-street parking facilities serving non-residential uses of property may be permitted in any Residence District when authorized by the Zoning Hearing Board after review and study by the Township Board of Supervisors, subject to the following requirements in addition to all other relevant requirements of this Part:

(1) The parking lot shall be accessory to, and for use in connection with, one or more non-residential establishments located in adjoining districts or in connection with one or more existing professional or institutional office buildings or institutions, and within three hundred fifty (350) feet of the non-residential use which it is to serve.

(2) Said parking lot shall be used solely for the parking of passenger automobiles.

(3) No commercial repair work or service of any kind shall be conducted on said parking lot.

(4) No sign of any kind other than signs designating entrances, exists, and conditions of use, shall be maintained on said parking lot, and shall not exceed twelve (12) square feet in area.

(5) The parking lot may be open from 7:00 a.m. to 9:00 p.m. and shall be closed at



all other times; however, when supervised by one (1) or more full-time attendants, the parking lot may be kept open until 12:00 midnight.

(6) Each entrance to and from said parking lot shall be a distance of at least thirty-five (35) feet from any adjacent property located in any residence district except where ingress and egress to the parking lot is provided from a public alley or public way separating the residential areas from the proposed parking lot. A buffer area as required by the Board of Supervisors shall be provided and maintained along all lot lines, which are not street lines, abutting residential uses.

(7) In addition to the foregoing requirements, such parking lots shall conform to any further requirements and conditions as may be prescribed by the Township Supervisors for the protection of properties adjacent to and in the vicinity of the proposed parking lot.

(Ord. 04-13-00, 4/13/2000, §1; as amended by Ord. 9-14-00, 09/14/2000, §1)

## Part 11

### Administration

§1101. Interpretation. In interpreting and applying the provisions of this Chapter, they shall be held to be the minimum requirements for the promotion of public health, safety, comfort and general welfare. (Ord. 11-15-79, 11/15/1979, §12)

§1102. Appointment and Powers of Zoning Officer.

1. For the administration of this Chapter, a Zoning Officer, who shall not hold any elective office in the Township, shall be appointed.

2. The Zoning Officer shall meet the qualifications established by the Township and shall be able to demonstrate to the satisfaction of the Township a working knowledge of municipal zoning.

3. The Zoning Officer shall administer this Chapter in accordance with its literal terms, and shall not have the power to permit any construction or any use or change of use which does not conform to this Chapter.

4. The Zoning Officer is hereby authorized to institute civil enforcement proceedings as a means of enforcement when acting within the scope of his employment.

(Ord. 11/15/1979, §12; as amended by Ord. 1-23-92, 1/23/1992)

§1103. Zoning Permits.

1. Zoning permits shall hereinafter be secured from the Township Zoning Officer, at a fee to be determined from time to time by the Board of Supervisors, prior to construction, erection, or alteration of any building or part of building, costing or valued at fifty (\$50.00) dollars or more; except as otherwise stated in Part 4 of this Chapter; and prior to the construction or erection of any stationary sign or bill board. All requests for zoning permits shall be made in writing by the owner or by his authorized agent and shall include a statement of the use or intended use of the building or structure after construction, erection or alteration, and shall be accompanied by a plan drawn to scale, showing the proposed building line in its exact relation to lot and street lines as well as satisfactory evidence that the line or lines of the bounding street or streets has or have been accurately located on the ground. [Ord. 1-23-92]

2. No zoning permit shall be issued until satisfactory evidence has been submitted to the Township Zoning Officer shown that:

A. A map, plan or plat of any subdivision or land development, drawn to scale and showing lot and street lines has been approved by the Board of Supervisors of Logan Township in accordance with the terms and provisions of Township Ordinance No. 5-17-79, entitled the "Logan Township Subdivision and Land Development Ordinance." [Chapter 221 The term "subdivision" as used herein shall mean the division or redivision of a lot, tract or parcel of land by any means into two (2) or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development: Provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten (10) acres, not involving any new street or easement of access or any

residential dwelling, shall be exempted. [Ord. 1-23-92]

B. A road occupancy permit, if required, has been issued by the Commonwealth of Pennsylvania, Department of Transportation, or the Township of Logan.

C. A permit to tap onto a public sewerage system has been issued by Logan Township, Central Blair County Sanitary Authority, or other appropriate authority, or a permit has been issued for a septic tank, individual sewer system, or community sewer system by the Commonwealth of Pennsylvania, Department of Environmental Resources. As amended August 3, 1972.

(Ord. 11-15-79, 11/15/1979, §12; as amended by Ord. 1-23-92, 1/23/1992)

#### §1104. Zoning Hearing Board.

1. There is hereby created for the Township a Zoning Hearing Board in accordance with the provisions of Article IX of the Pennsylvania Municipalities Planning Code, 53 P.S. §10901 et seq.

2. The membership of the Board shall consist of three (3) residents of the Township appointed by resolution by the Board of Supervisors. The terms of office shall be for three (3) years and shall be so fixed that the term of office of one (1) member shall expire each year. The Board shall promptly notify the Board of Supervisors of any vacancies which occur. Appointments to fill vacancies shall be only for the unexpired portion of the term. Members of the Board shall hold no other office in the Township.

3. Any Board member may be removed for malfeasance, misfeasance or nonfeasance in office or for other just cause by a majority vote of the Board of Supervisors which appointed the member, taken after the member has received fifteen (15) days' advance notice of the intent to take such a vote. A hearing shall be held in connection with the vote if the member shall request it in writing.

4. The Board shall elect from its own membership its officers, who shall serve annual terms as such and may succeed themselves. For the conduct of any hearing and the taking of any action a quorum shall be not less than a majority of all the members of the Board, but the Board may appoint a hearing officer from its own membership to conduct any hearing on its behalf and the parties may waive further action by the Board as provided in this Chapter.

5. The Board may make, alter and rescind rules and forms for its procedure, consistent with ordinances of the Township and laws of the Commonwealth. The Board shall keep full public records of its business, which records shall be the property of the Township and shall submit a report of its activities to the Board of Supervisors as requested by the Board of Supervisors.

6. Within the limits of funds appropriated by the Board of Supervisors, the Board may employ or contract for secretaries, clerks, legal counsel, consultants and other technical and clerical services. Members of the Board may receive compensation for the performance of their duties, as may be fixed by the Board of Supervisors, but in no case shall it exceed the rate of compensation authorized to be paid to the members of the Board of Supervisors.

(Ord. 11/15/1979; as amended by Ord. 1-23-92, 1/23/1992)

§1105. Special Exceptions. Where the Board of Supervisors, in this Chapter, has stated special exceptions to be granted or denied by the Zoning Hearing Board pursuant to express standards and

criteria, the Board shall hear and decide requests for such special exceptions in accordance with such standards and criteria. In granting a special exception, the Board may attach such reasonable conditions and safeguards, in addition to those expressed in this Chapter, as it may deem necessary to implement the purposes of this Chapter and Article IX of the Pennsylvania Municipalities Planning Code, 53 P.S. §10101 et seq. (Ord. 11/15/1979, §12; as amended by Ord. 1-23-92, 1/23/1992)

§1106. Hearings. The Zoning Hearing Board shall conduct hearings and make decisions in accordance with the Pennsylvania Municipalities Planning Code, 53 P.S. §10901 et seq. as amended. (Ord. 1-23-92, 1/23/1992)

§1107. Hearing Fees. The Board of Supervisors of the Township of Logan may prescribe reasonable fees with respect to hearings before the Zoning Hearing Board. Fees for said hearings may include compensation for the secretary and members of the Zoning Hearing Board, notice and advertising costs and necessary administrative overhead connected with the hearing. The cost, however, shall not include legal expenses of the Zoning Hearing Board, expenses for engineering, architectural or other technical consultants or expert witness costs. (Ord. 1-23-92, 1/23/1992)

§1108. Variances.

1. The Zoning Hearing Board shall hear requests for variances where it is alleged that the provisions of this Chapter inflict unnecessary hardship upon the applicant. The Board may by rule prescribe the form of application and may require preliminary application to the Zoning Officer. The Board may grant a variance, provided that all of the following findings are made where relevant in a given case:

A. That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property and that the unnecessary hardship is due to such conditions and not the circumstances or conditions generally created by the provisions of this Chapter in the neighborhood or district in which the property is located.

B. That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of this Chapter and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.

C. That such unnecessary hardship has not been created by the applicant.

D. That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare.

E. That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

2. In granting any variance, the Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of this Chapter and the Pennsylvania Municipalities Planning Code, 53 P.S. §10101 et seq.

(Ord. 1-23-92, 1/23/1992)

§1109. Enforcement Notice.

1. If it appears to the Township that a violation of this Chapter has occurred, the Township shall initiate enforcement proceedings by sending an enforcement notice as provided in this Section.
2. The enforcement notice shall be sent to the owner of record of the parcel on which the violation has occurred, to any person who has filed a written request to receive enforcement notices regarding that parcel, and to any other person requested in writing by the owner of record.
3. An enforcement notice shall state at least the following:
  - A. The name of the owner of record and any other person against whom the Township intends to take action.
  - B. The location of the property in violation.
  - C. The specific violation with a description of the requirements which have not been met, citing in each instance the applicable provisions of this Chapter.
  - D. The date before which the steps for compliance must be commenced and the date before which the steps must be completed.
  - E. That the recipient of the notice has the right to appeal to the Zoning Hearing Board within a period of ten (10) days.
  - F. That failure to comply with the notice within the . time specified, unless extended by appeal to the Zoning Hearing Board, constitutes a violation, with possible sanctions clearly described.

(Ord. 1-23-92, 1/23/1992)

§1110. Enforcement Remedies.

1. Any person, partnership or corporation who or which has violated or permitted the violation of the provisions of this Chapter shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than five hundred (\$500.00) dollars plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating this Chapter to have believed that there was no such violation, in which event there shall be deemed to have been only one (1) such violation until the fifth (5th) day following the date of the determination of a violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation.
2. Nothing contained in this Section shall be construed or interpreted to grant to any person or entity other than the Township the right to commence any action for enforcement pursuant to this Section.

3. District justices shall have initial jurisdiction over proceedings brought under this Section.

(Ord. 11/15/1979 11/15/1979, §12; as amended by Ord. 10/27/1988, 12/27/1988; and by Ord. 1-23-92, 1/23/1992)

## Part 12

### Amendments to Zoning Map

<u>Ord.</u>	<u>Date</u>	<u>Description</u>
6-29-78	6/29/1978	Rezoned from Residence R-1 to Residence R-2
6-29-78	6/29/1978	Rezoned from Residence R-1 to Business
9-15-83	9/15/1983	Rezoned from Residence R-1 and R-2 to Business
10-31C-85	10/31/1985	Rezoned from Residence R-1A to R-2
1-8-87	1/8/1987	Rezoned from Residence R-2 to Business
6-15-89	6/15/1989	Rezoned from Residence R-1 to Business
6-15-89A	6/15/1989	Rezoned from Residence R-1 to Residence R-2
6-29-89	6/29/1989	Rezoned from Agricultural to Business
8-24-89	8/24/1989	Rezoned from R-1 Residence and Business to Residence R-1A
2-1-90	2/15/1990	Rezoned from Agriculture to Business
6-4-92	6/4/1992	Rezoned from Residential R-2 to Business
7-15-93	7/15/1993	Rezoned from Residential R-2 to Business
12-1-94	12/1/94	Rezoned from Residential R-2 to Business

<u>Ord.</u>		<u>Date</u>	<u>Description</u>
4-4-96		4/4/96	Rezoned from Residential R-1A to Residential R-2
6-20-96		6/20/96	Rezoned from Residence R-1 to Business
3-13-97	3	/13/97	Rezoned from Residence R-2, Business and Industrial to Business
02-10-00A		02/10/00	Rezoned from Residence R-1 to Business
4-13-00A		4/13/00	<ol style="list-style-type: none"> <li>1. Rezoned from Agricultural to Residence R-1</li> <li>2. Rezoned from Residence R-2 to Residence R-1</li> <li>3. Rezoned from Agricultural to Residence R-1A</li> <li>4. Rezoned from Residence R-2 to Residence R-1A</li> <li>5. Rezoned from Residence R-2 to Residence R-1A</li> <li>6. Rezoned from Residence R-1A and Residence R-2 to Institutional</li> <li>7. Rezoned from Agricultural to Agricultural A-1</li> </ol>
06-08-00		06/08/00	<ol style="list-style-type: none"> <li>1. Rezoned Residence R-1 and Residence R-2 to Residence R-1A</li> <li>8. Rezoned Agricultural to Institutional</li> <li>9. Rezoned from Agricultural and Residence R-1 to Residence R-1A</li> <li>10. Rezoned Agricultural to Residence R-1</li> <li>11. Rezoned from Agricultural to Residence R-1A</li> <li>12. Rezoned from Agricultural to Residence R-2</li> </ol>



<u>Ord.</u>	<u>Date</u>	<u>Description</u>
		13. Rezoned from Residence R-1 to Residence R-1A
		14. Rezoned from Agricultural and Residence R-1 to Industrial
		15. Rezoned from Residence R-1 to Business
		16. Rezoned from Residence R-1 to Business
11-09-00	11/09/00	1. Rezoned from Agricultural and Residence R-2 to Residence R-1A.
		17. Rezoned from Residence R-1 to Residence R-1A.
		18. Rezoned from Residence R-1 to Business.
10-9-03	10/09/03	Rezoned from Residence R-2 to Business
12-11-03	12/11/03	Rezoned from Residence R-1A and R-1 to Institutional